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A

COLLECTION

OF

ALL THE PAPERS

RELATING TO THE

PROPOSAL FOR UNITING

*The King's* and *The Marischal* COLLEGES of Aberdeen,

WHICH HAVE BEEN

PUBLISHED BY AUTHORITY OF THE COLLEGES.

ABERDEEN, - University of Aberdeen, Miscellaneous Publications

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No. I.

O U T L I N E S O F A P L A N

*For Uniting the King's and Marischal Universities of Aberdeen, with a View to render the System of Education more complete.*

VARIOUS reports have been circulated of late, respecting an intended PLAN of UNITING the TWO COLLEGES of ABERDEEN; and not a few mistaken apprehensions have been entertained on that head.

It has become requisite, therefore, that some account of what is really wished for, and has been attempted by those who favour that Plan, should be laid before the public.

That two independent Universities, endowed with the amplest privileges of teaching and conferring degrees in all the Sciences, should be seated within a mile of each other, must appear, at first view, somewhat absurd.

It is still more so, that two sets of Professors should be employed in these Universities, in teaching the same Elements of Philosophy, and of the Greek Language, to their Classes; while other branches of Science, generally accounted necessary in academical education, are taught by no Professor in either.

Between these neighbouring Universities certain jealousies are apt, at times, to arise: a rivalry, not of the most liberal kind, and not to be carried on by the efforts of learned industry alone, has been known to subsist: on more occasions than one, it has been found impracticable to regulate the internal discipline of the one, without the concurrence of the other, which, in their separate state, is not always to be expected.

These, and other reasons, have, long ago, given rise to a wish, that both might be united into one respectable University, on the same footing with the other Universities of Scotland; and the opinion entertained of the good consequences of such a measure has been confirmed, by a late Union of two Colleges in St. Andrews.

Accordingly, in the year 1754, a Plan of Union was concerted, with the unanimous consent of both Societies, and of other parties concerned; only the seat of the united University was left undetermined, and referred, by arbitration, to the judgment of a respectable nobleman, in whom all had justly reposed confidence. But some misunderstanding having afterwards arisen among the parties, the whole scheme was suffered to fall to the ground at that time.

In the year 1770, it having been suggested, that all difficulties, with regard to the seat of the University, might be avoided, a new Plan was drawn up, on a model somewhat more extensive than the former: it was discussed in private, with very general approbation and concurrence of all parties concerned, and of many competent judges, to whom it was submitted: but, as a perfect unanimity among the Professors could not be obtained, this Plan, likewise, was relinquished, until some more favourable juncture should occur.

Still it remained a subject of regret, to those who valued the interests of Literature, and were acquainted with that spirit and success, with which Academical Education is conducted at Edinburgh and Glasgow, that any plan, which might have brought Aberdeen nearer to the same standard, had been suffered to miscarry.

Among such persons, good wishes were frequently expressed, and enquiries were, from time to time, made, concerning the hope of seeing it again revived.

Animated by their knowledge of these general wishes, and more particularly, animated by the approbation of some persons of high rank and consideration, a few Members of each College began, during last summer, to compare together their opinions, concerning the advantages to be derived from an Union of the Colleges, and concerning the probability of getting it accomplished at this time.

As to the advantages to be derived from an Union, they were persuaded, that, by bringing together greater numbers of students to attend the same classes, a greater spirit of study and application might be excited among them; as appears evidently from that ardour and diligence, with which young men are known to pursue their studies, in those Universities, where the classes are most numerous. They were convinced also, that Schools of Medicine and of Law, might be established in the united University, with every hope of success.

In the present disjointed state of the two Colleges, indeed, it would answer no good purpose to open Schools of Medicine or Law, in either College. Yet the great number of young men, that are bred to each of these professions, and the great distance from Edinburgh, the principal school of both, together



with the advantage of an excellent Infirmary for Medical Students, seems to encourage, and even to require it.

If, in the University of Glasgow, medical and law classes are well attended, and prove of no small utility to the youth of the Western Counties, there seems reason to hope, that they might flourish here also, and be found of like utility to a more extensive part of the country, more remote from Edinburgh, and which is supposed to breed, at least, an equal number of young men to the profession of medicine, and a far greater number to that of law.

They supposed also, that if a greater number of classes were opened, and the teachers excited by a greater concourse of students, it might happen, as elsewhere, that the more ingenious part of those students might find inducements to continue their residence in the University, after obtaining a Degree in Arts, to attend repeated Courses of Lectures, and to prosecute their studies in various branches, beyond that superficial and merely elementary education, with which they are at present contented.

The Libraries, the Museums, the Observatories, and Botanical Gardens, that belong to, or may be set on foot, by either College separately, must long remain scantily endowed, and incomplete; whereas, were their respective funds united, these Repositories might soon become, if not splendid, at least handsomely furnished for this corner of the kingdom, and well adapted to excite, and to gratify, the liberal curiosity of youth.

As to the hopes of success, in endeavouring to accomplish an Union of the Colleges, at this time, it seemed probable, from the late increase of Science and Literature in this country, and from the attention now paid to their interests, that any Plan of that kind would be supported by the public favour, in a more decisive manner than in former times.

But, unforeseen accidents might occur; and it was fit to consider, to what new measures and expedients recourse might be had, should any difficulties, like that concerning the seat, which had proved fatal to the first scheme, arise; or should any individuals adhere to their private objections, in opposition to a measure acknowledged to be of general utility.

As arbitration had been found ineffectual, it occurred, that we might, without impropriety, make application to the Crown, for an appointment of Visitors, by whose interposition, all unreasonable obstructions might be removed.

This idea was suggested to various persons, and among others to some of high rank: it met with the approbation of all, tho' every one expressed a hope, that no necessity for any such application would arise.

In the month of September, a Meeting of both Colleges is annually held, and this seemed a proper occasion for reviving the Plan of Uniting the Colleges, and proposing that other meetings, or committees, should be appointed to deliberate upon it at leisure.

But, very unexpectedly, at this meeting, some gentlemen, who had concurred in both the preceding Plans, and had actively promoted them, declared a positive resolution, not to enter into any conference on that which might now be proposed. They said, that the mention made of a Visitation, had rendered the whole scheme improper; and that however desirable an Union of the Colleges might be in itself, all hope of effecting it must now be postponed for a long time.

Though this appeared a little mysterious to those who favoured the Union, (as the gentlemen who objected declined giving an explanation of their reasons) they were answered, that the Visitation had been thought of merely for the sake of the Union, and not from any predilection to that expedient, which the proposers neither desired nor dreaded; but that if, in regard to the end, those gentlemen continued still in the same sentiments, which some of them had so strenuously maintained on former occasions, all the Members of both Colleges might confer amicably together, concerning the most proper means by which the end wished for might be effected, and any reasonable means they should propose, would be impartially considered. In reply to this, the same sentiments, as to the expediency and advantages of an Union, were professed on both sides: but those gentlemen, who had been so much offended at the bare mention of a Royal Visitation, declared, that (however desirable the projected Union might be) they would neither propose any other measure at present, nor have any further conference on the subject.

In this manner, all the Members of one of the Colleges, and a few of the other, are laid under the necessity of pursuing together, such measures as to them shall appear most effectual for attaining the proposed end. But though their colleagues positively refuse taking any active part in forwarding this matter, they flatter themselves that, on the other hand, they will be far from taking an active part in opposition to a scheme which they have so often declared, and still declare, to be for the interests of Learning, and the promoting of good Education in this part of the country.

In these circumstances, it has become necessary for those who favour the scheme to proceed with more formality than they had intended, and to publish the following sketch of their Plan of Union; which is now, with respectful confidence, submitted to the examination of all who take concern in the interests of Literature, and the right Education of Youth in this Country.— To the public at large,  
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the present account is also presented, as a just state of what they wish to accomplish, and the means they had proposed to employ ; with respect to both of which, they are desirous to prevent every misapprehension.

*General Heads of a Plan of the proposed Union.*

I. That the two Universities be incorporated into one, for the purpose of conducting Education on a more extensive plan.

II. That the establishment of Glasgow be kept in view, as a model, very suitable to the situation of Aberdeen, and the surrounding country ; admitting, however, such additions and alterations as may be found requisite.

III. As a Principal, with fifteen Professors, may be sufficient for every department of Science and Literature, three of the present offices shall be suppressed, and their salaries applied to the public uses of the University.

IV. The buildings of both Colleges shall be kept in repair as at present. One half of the classes shall be taught in each. The distribution shall be regulated by convenience, and the interests of good Education. But all public ceremonies shall be performed in the Chapel and Hall of King's College.

V. None of the present incumbents shall be deprived of any salary, emolument, or perquisite, which he at this time enjoys ; or obliged to undertake any new office or duty, which he does not incline.

VI. The patronage of offices, and management of funds, shall remain in the hands of those members of each society, who are now invested with them, during their incumbency, or be compensated ; and shall be subjected afterwards, to as little innovation, as may consist with the harmony and prosperity of the united University.

VII. The rights of all other patrons shall be preserved entire and unchanged ; or compensated to their satisfaction.

VIII. Immediate attention shall be paid to the establishment of a Medical School ; and for this purpose, an Anatomical Theatre, and Botanical Garden, shall be provided, as soon as may be.

IX. A sum, not less than 100l. per ann. shall be taken from the salaries of the suppressed offices, and set apart for an accumulating fund, to be improved at compound interest, until its produce shall amount to 200l. per ann. at which time, 100l. per ann. may be taken from it, for public uses, as purchasing Books, Instruments, &c. the remainder being left to accumulate as before, until it amount again to 200l. per ann. at which time another 100l. per ann. may be taken from it, and so on for ever.

X. The remainder of the salaries of the three offices suppressed, shall be left to the disposal of the *Senatus Academicus*, for such useful purposes as they shall think proper ; but no part of it shall ever be applied to the augmentation of any salary, if any three Members of the University shall dissent from such application.

The Plan inserted above is to be considered merely as an outline, to be filled up, corrected, and improved. Such as it is, however, it may be compared with that Plan, which was received with universal approbation in 1754, and which, but for an accident, had been carried into execution at that time ; it cannot be doubted but it will be thought to deserve an equal share of public approbation and favour.

It has been endeavoured to improve upon the plan of 1754, and to form that which is now exhibited, on a more comprehensive view of what ought to be the objects and the functions of a flourishing University.

In the Plan of 1754, no mention is made of Schools of Medicine or of Law. These are taken for leading objects in the present plan ; for as young men from the North of Scotland cannot be sent to study at Edinburgh or Glasgow, for less than double the expence of their residence here, and that they are thereby much farther removed from the inspection of their parents and relations, it seems due in justice to them, that they should find in this their domestic University, the same opportunities of cultivating those sciences, either as a profession, or as parts of a learned education, which the University of Glasgow affords to the Youth of the West.

In the Plan of 1754, an augmentation of salaries, arising from the sale of buildings, and the suppression of *eight* Professorships, seems to have been the favourite object. According to this Plan, no buildings are to sold : only *three* offices are to be suppressed, and the augmentation of salaries is only mentioned for the sake of subjecting it to proper regulations and restraint. It is intended, that the emoluments of the Professors should arise, chiefly from the fees of their classes, and so, bear proportion to the assiduity they chuse to exert, and the reputation they may acquire. In conformity to this idea, all augmentation of salaries will be confined to those Professors, who are not allowed, by the custom of Universities, to receive fees from their students.

In the plan of 1754, no mention is made of any accumulating fund. It is now proposed, as highly expedient and creditable, or rather, indispensibly incumbent on us. Societies, which have subsisted for two or three centuries, seem bound in duty to extend their care to the advantage of their successors.

On these endeavours to improve the Plan of 1754, it is to be hoped, that the present Plan, after it has been



been coolly examined, will engage the particular approbation of all those among the Professors, who gave their concurrence, or their active support, to the plan of 1754.

If any useful regulations, which entered not into that plan, have also been overlooked in this, it may be their part to suggest them; and their good offices, in this respect, will be very thankfully acknowledged.

*Aberdeen, July 20, 1786.*

## No. II.

ARTICLES of UNION, agreed upon between the Principals and Masters of King's and Marischal Colleges, in a conjunct Meeting, November 8th, 1754.

I. **T**HAT the Funds of both Colleges be incorporated into one common stock.

II. That the Professions in the United College be the same as in the King's College at present, with the addition only of a Professor of Mathematics.

III. That each of the Professors in the United College have an addition of Thirty Pounds sterling yearly to his salary, except the Professor of Mathematics, who, because his present salary is considerably better than those of the Regents, shall have only such an addition, as to put his salary on a level with theirs.

IV. Because the Union cannot be completed, while there are two sets of Professors, till the one half shall either die out or resign, it is agreed, that the three Philosophy Classes in the King's College be fixed; and if the Professors who shall then happen to be opposed to one another, cannot adjust matters between themselves, so as one of them may give up teaching, that they shall teach for a year by turns, the senior member having his choice of the vice, and the Principals and Professors of Greek shall officiate in the same manner.

V. That in double professions, the Professor who does not teach, shall have, besides his salary, one fourth share of the profits of the class that is taught by the Professor opposite to him.

VI. That each of the present Masters shall have the same interest during his incumbency, in the revenue of that College of which he is now a member, that he has at present, and right to all the increase or profits that he could have had from the same, if no Union had taken place; that is, that every Master in the Marischal College shall be entitled not only to the whole profits of his present locality, but to any improvement that may be made of it during his incumbency;—and that every Master in the King's College shall have right, not only to the present locality, but to his tenth share of any augmentation, that the present revenue, or any future improvement of that revenue, may admit of, during his incumbency.

VII. That in double professions, upon the death of any of the present Incumbents, the least of the two salaries shall fall into the common stock, and be divided equally among the survivors.

VIII. Till the Union be completed, when a vacancy happens, if there are two Professors opposed to one another, the survivor shall have right to the vacant office, and shall be called to accept of it; and if he refuses to accept then, he shall forfeit his right to the office and salary, and his salary shall immediately fall into the common stock. If there are not two opposite Professors, the vacancy shall be supplied either by the College, or the proper Patron, out of the united body, if any of them shall be judged qualified for the vacant office.

IX. That the offices of Principal, the three Professors of Philosophy, and the Professor of Greek, be presented to by the Crown and by the United College by turns, as they shall happen to fall, and the Crown to have the first vice. The Professor of Hebrew to be presented by the Crown and Sir Alexander Ramsay, by turns; the Professor of Divinity to be presented by the Town of Aberdeen, and by the Delegates from the Synod, in conjunction with the Delegates from the College, by turns; the Professors of Civil Law, Medicine, and Humanity, to be presented by the United College. The Professor of Mathematics by the Town of Aberdeen and the College.

X. That the funds belonging to the Buildings be separated from the common stock, and that besides the casualties of vacant stipends, a sum of shall be set apart yearly, out of the common revenue, for upholding and carrying on the necessary Buildings.

XI. That every Intransigent into the Society shall be liable to pay into this stock half a year's salary, and that the time for electing and presenting be prolonged, so as not to exceed half a year, and that every Patron shall present within half a year, otherwise the right of election and presentation shall for that vice devolve to the College.

XII. That every Professor shall have a house, as soon as the funds will permit.



## No. III.

King's College, July 24, 1786.

THE Principal and six Professors of the King's College of Aberdeen, having learned that a petition has been for some time handed about, by direction of the Members of the Marischal College, to be subscribed by the Noblemen and Gentlemen in this Country, for procuring an Union of these two Colleges, find it necessary to give this public notice, that the said petition has been framed and circulated without their knowledge, or any communication with them, they being still ignorant of its tenour; that the first intimation they had of it, was a very few days ago, by the proper and candid inquiry of a nobleman to whom it had been presented; that a single copy of a printed plan of the Union, to which they suppose the petition to refer, has been still more lately transmitted to them, long after it had been communicated to persons much less interested in it; a plan which they conceive to be in many respects *improper, impracticable, and attended with a very imperfect representation of facts relating to their conduct*; that they cannot but consider this as an attempt to surprise persons to whom the petition is presented, into a subscription, on a representation by one party, or perhaps under an idea of its being agreeable to the sentiments of both Colleges: and therefore they beg that Noblemen and Gentlemen will candidly wait information from both sides, before they give their names to a project, which so deeply affects the rights and interest of this University.

## No. IV.

Marischal College, July 31, 1786.

THE Principal and all the Professors of Marischal College are sorry to be obliged in this public manner to take notice of an advertisement published in the last Journal, in the name of some Members of King's College, with whom they have ever been desirous to preserve the most perfect harmony.

Those Gentlemen complain that an attempt for obtaining an Union of the two Colleges has lately been renewed, *without their knowledge or any communication with them*. But can it be reasonably thought either necessary or proper for the friends of the Union, to consult about it with those persons who had absolutely refused to have any further communication with them on that subject, had declared their determined opposition to it, and who have since taken every measure in their power to defeat it? Those gentlemen had however reason to believe, particularly from the ill success of their application to a person of high rank, connected with the Marischal College, that a measure of such acknowledged utility, and so warmly patronized by the public, was not instantly dropt for want of their concurrence. Unanimity would have been very desirable, but as it is scarcely to be expected, that all the private interests and prejudices of individuals, will be voluntarily sacrificed to the public good; those who are friendly to the Union, while they lament the delusion of their brethren, think themselves nevertheless bound by every consideration of duty and character, to pursue the most proper measures for effecting it.

It is said to be *improper, and even impracticable*. Why then has it been so frequently agitated? Why has it, oftener than once within these thirty years, been so strenuously supported by the very Gentlemen who now so strenuously oppose it? And why do they take the trouble to oppose it, if they really believe it impracticable? Does any person think it necessary to exert himself for preventing the execution of what he is convinced can never be executed? But to make them perfectly easy on this head, it is proper to inform them, that the immediate object of the petition is not to ask an Union, but that his Majesty will be pleased to appoint Visitors, to enquire into the *propriety and practicability* of such a scheme, and with this view to examine the present state of both Colleges, *a measure which surely can do no harm to either*, whether an Union be the consequence or not.

It is farther said, that the printed Plan was attended with *a very imperfect representation of facts relating to their conduct*. A minute detail was not intended. Nothing however was advanced that is not true, but many particulars were suppressed from motives which those present at the meeting in September last, ought rather to respect than censure.

Lastly, in regard to the unhandsome charge of endeavouring to obtain subscriptions by *surprize, or perhaps under the idea of its being agreeable to the sentiments of both Colleges*; the printed Plan, above alluded to, with which the application was always accompanied, perfectly refutes this accusation. Nay, many Letters expressing the highest approbation, which have been received from distinguished Noblemen and Gentlemen in this part of the Kingdom, clearly demonstrate that they had not been surprized into the measure, but perfectly understood all the circumstances of the case.

But there is nothing that the friends of Union more sincerely regret, than the too warm conduct of their opponents. Could they be prevailed on to treat the subject in a dispassionate manner, and impar-



trially to weigh the numerous arguments in favour of the Plan; it might still be hoped that they would return to their former sentiments, and would cordially join with a very respectable part of their own Society, with all the Members of Marischal College, and with the Public of every rank both in Town and Country, in promoting a measure which, they cannot but be sensible, would prove of essential service to the education of youth, to the prosperity of the University, and to their own reputation.

## No. V.

### MEMORIAL from the University and King's College of Aberdeen, concerning Outlines of a Plan for Uniting the King's and Marischal Universities of Aberdeen.

THESE Outlines having been for some time printed and circulated by the Members of the Marischal College, along with a few, only two, of the other, without any intimation of such a design to the rest, the Principal and Professors of the King's College find themselves under a necessity of likewise addressing the Public.

Insinuations being oftener than once made in the *Outlines*, that some of us, having concurred in, and actively promoted former Plans for an Union of the Colleges, are, therefore, in consistency, obliged to forward, or at least not to oppose, the present scheme; it is proper to observe, that, if we should avow our having now seen good reason, particularly from our experience in these former attempts, to change our opinion, this change cannot be deemed in any respect blameable;—That, in perfect consistence with our former conduct, we may totally disapprove, and, to our utmost, *oppose* the present Plan, because it deviates widely from all that were ever before thought of, and runs in absolute contradiction to the *principles* on which they proceeded;—That we have the justest reasons for resisting the *methods* by which it has been carried on;—That tho' we should admit that some advantages might proceed from a proper Union of these Colleges, yet, so far as they are real, they may be obtained by more eligible means, and that they are neither so *essential*, so *certain*, or so *unallayed*; as to warrant, in *speculation* of them, the subversion of Foundations and Charters, which the procuring of them would imply, not to mention the expence and manifold difficulties which must attend the application for an Union, accompanied with great uncertainty of success in the issue.

In 1494 the village of Old Aberdeen was, at the desire of the King, erected, by the Pope's Bull, into an *Universitas studii generalis*, in the common form of Universities, and with all the privileges competent to any of them. In 1498, King James IV. in consequence of that Bull, erected that village into a City and University, with all the privileges of the universities of Paris, St. Andrews, or Glasgow. In 1500, Bishop Elphinston founded, and amply endowed, a College within this University, which being afterwards taken into the King's particular protection, was from that time called *The King's College*: and the foundation was completed in 1505.—A Professor of Divinity was founded within this University, by the Synod of Aberdeen, in 1619, and a Professor of Oriental Languages, by King William, in 1698: who were then Members of the University, but not of the College; but were incorporated into the College, by proper authority, in 1711 and 1716: so that the College now comprehends the whole Members of the University, and is therefore called *The University and King's College of Aberdeen*. It now consists of ten Members; and they are vested with the right of Presentation to *eight* of their offices, and to about fifty Bursaries in Philosophy and Arts, and with the Management of the whole Revenue belonging to them: and thus it is a more independent Body, than any other University in Scotland.

The Marischal College was founded by Earl Marischal in 1593, and then consisted only of a Principal, with his *famulus*, and three Regents in Arts, to whom was soon added a fourth, in place of the *famulus*; with a revenue only for their support, all to be presented by Earl Marischal, and now, since his forfeiture, by the Crown. Its foundation was in the same year confirmed by Act of Parliament, granting it all the privileges appertaining to any free College within this realm. Not long after, a Professor of Divinity, and a Professor of Mathematics, were founded on private donations, under the management and in the presentation of the Town of Aberdeen. About the beginning of this century, Earl Marischal erected and presented a Professor of Medicine, but without any salary, till in 1706 he obtained about 14l. sterl. a share of the Royal Bounty then first given. A Professorship of Oriental Languages, in the gift of Sir Alexander Ramsay, has been since added, by a private donation under his management.

Proposals have often been set on foot for an Union of these two Colleges; and from the above state of facts, it will appear natural, that the Marischal College should always be disposed to promote them.

That



That there should be *two independent Universities*, if both be really Universities, *seated within a mile of each other*, did not, most certainly, appear absurd to the FOUNDER OF THE MARISCHAL COLLEGE, to whose intentions some regard may be thought due by the Members of it; else he would not have founded his College within a mile of an University which had flourished near an hundred years, and which was unquestionably *endowed with the amplest privileges of teaching and conferring degrees in all the sciences*.

That there should be *two Sets of Professors employed, within a mile of each other, in teaching the same elements of Philosophy and the Greek Language*, can much less appear absurd to any person who has ever heard, that in Cambridge there are *sixteen*, and in Oxford *twenty five* Colleges and Halls, instituted for the very same course of education within the same town: and *if other branches of science be not taught in either College*, it is owing, in most of them, much more to the want of students, disposed to apply to them, than of Professors able and willing to teach them.

Of the *jealousies and illiberal rivalships*, which are said to have taken place between the two Colleges, we have heard very little; and we know not of any instance of *the regulation of the internal discipline* of either being rendered impracticable for want of the concurrence of the other, nor have we an apprehension that such concurrence, when necessary, can ever be withheld in any proper regulation. But we know certainly, (five of us, tho' only one concerned in the present scheme, having been Members in 1754,) that these were not the principal reasons of the attempt then made for an Union; but the insufficiency of the livings and funds in both Colleges, joined with the idea that both were not indispensibly *necessary*.

For remedying this insufficiency, a Plan of Union was concerted, with the unanimous consent of *both Societies*, but not of *other parties concerned*: for it fell to the ground before the consent, or even opinion, with respect to particulars, of any Patron, either of Offices or Bursaries, except the town of Aberdeen, had been obtained.

In 1770, an Union was again projected by some Members; the general design was proposed to both Colleges, and so far encouraged, that they imparted it to their respective chancellors, soliciting their support when a proper plan should be concerted, and appointed some members of each as a committee for preparing such a Plan; but agreed that, till it was prepared and adopted by a joint meeting of the two Colleges, the design should, in order to prevent alarms from imperfect or misconceived ideas of it, be kept as secret as possible; a circumstance which precluded the concurrence of many parties concerned, and our knowledge of the opinions of competent judges without the Societies. The committee held many meetings, and made out several articles of Union to be proposed to a joint meeting of both Colleges: which was called early in winter 1771. In it, some members of the King's College totally disapproved the articles proposed. At the same time, a letter to the Marischal College from their Chancellor was read; and it appearing to be an answer to one written by them to his Lordship, and that seemingly in the name of both Colleges, fault was found with their having written without the privity of the other College, on a matter in which both were equally interested, and it was demanded that their letter should be communicated; but this was positively refused; and their refusal appearing totally inconsistent with the openness and mutual confidence necessary to the successful prosecution of an Union, even those who most approved the design determined to relinquish it at that time.

THE course which has been pursued in bringing forward the present scheme can have no tendency to alter this determination. It is necessary to give a fuller account of it than the Outlines have given. The authors have since said, that a minute detail was not intended, but certainly it ought to have been a detail calculated to explain equally the conduct of both parties.

It was begun *earlier than last summer*. The preceeding summer an Union had either occurred or been suggested to one Gentleman of the Marischal College, and he had held some conversations on the subject with persons of high rank at London. Some time in the autumn, winter, or early spring thereafter, this was communicated by him to all the members of that College, and to *one* member of the King's. In the beginning of last summer the same gentleman went again to London, and there entered into schemes for effectuating an Union, and into conversations with several persons, both about the means to be employed for that purpose, and for obtaining their influence in its favour. In some of these, if not previously and at home, a royal visitation was proposed for over-ruling such as might disapprove the scheme, and a *visitor* named. In the mean time the design had been communicated to another member of the King's College, who, as we understand, entered warmly into it; and superficially to a third, who did not. On that gentleman's return from London, it was imparted to all the members of the Marischal College, and we have heard, in confidence to some persons unconnected with either College, but not in the remotest manner hinted to any one of us, tho' there had been many natural opportunities. Some time after, a meeting of the Marischal College was called; they were informed of the steps which had been taken; and they unanimously resolved, not to mention the subject to any of us, till the annual meeting of both Colleges in September. But the only member which had been then absent, did, either through ignorance of their resolution,



resolution, or from his natural openness, give one of us information of the design, and a candid and pretty full account of the several steps which had been taken; but this only *four* days before the annual meeting; and on the discovery of his having done so, the matter was mentioned to a few others of King's College.

At the annual meeting some, not all of us, allowed the expediency of a *proper* Union, but some of us hinted that it seemed to them impracticable, and none of us entered into or acknowledged the advantages held forth by the present plan. On a design of reviving a plan of Union being mentioned, we desired to be informed of the steps which had been already taken, by the gentleman who had chiefly conducted them; he gave an account of them, but with the *omission* of several which had been before communicated to one of us. When questions were put to him concerning those which he had omitted, to some of them he gave answers readily enough, to others such as we thought evasive; when he hesitated about answering one of them which appeared to be very material for us to know, he was prevented by one of his Colleagues telling him that he was not obliged to answer it: and to some of them we could obtain no answer. It was only after this, that all the Members of the King's College who were present, declared a *positive resolution, not to enter into any conference* on any Plan of Union that might now be proposed. We were told that nothing had been absolutely fixed, and that we might enter on a treaty as if nothing had been done: this we declared impossible, and gave several reasons, of which the *outlines* take no notice, and which we still reckon solid, and cheerfully submit to the public.

Being an University distinct from, and independent of the Marischal College, and equally, nay more deeply, interested in the consequences of an Union, we had a right to be informed of any proposal for that purpose, as early and fully as they, as soon as it was made, and before any step was taken in prosecution of it; and this right had been plainly violated. To agitate it for so many months, to take so many and so important steps, in concert with one, or at most, two, of our Colleagues, but with studied concealment from us, did not bespeak in one party, the openness and candour necessary for producing in the other that confidence, which alone could render conferences subservient to any good purpose. The resolution to conceal every thing from every one of us, till the annual meeting, appeared, as soon as we heard of it, very like a design to take us by surprise and unprepared. When, even at that meeting, we could not obtain a full and fair account of every thing that had been *already* done, to have agreed to conferences about what *further* should be done, would have been to run headlong into a scheme, which we were not to be permitted fully to understand.

Against one particular step already concerted, an application for a royal visitation, of the first proposer of which they refused to inform us, we did indeed peremptorily declare; but were so far from *declining giving an explanation of our reasons*, that we did then assign *several* reasons, though perhaps not all which might with propriety have been assigned. We told them without any reserve, that our only Colleague with whom they avowed their having all along acted in concert, had been for a considerable time engaged in a determined opposition to most of our measures; that the other with whom they acknowledged some communication, had in some instances favoured, and in none joined us in resisting, his opposition; that these had insinuated threatenings against us of the displeasure of a Royal Visitation; (circumstances, their ignorance of which, the Members of the Marischal College then professed and regreted, tho' they have continued the concert after they know them) that, therefore, we suspected the motion for a Visitation to have been suggested or eagerly adopted by these, as much for their private party purposes, as for promoting an Union; that they were at perfect liberty fairly to represent their grievances, and solicit a Visitation for redressing them, and we had no apprehension for the issue; but we could not consent that, under colour of a totally different and public object, they should have an opportunity of *indirectly* bringing forward their private and groundless complaints; That the Marischal College could not with propriety interest themselves in the internal differences of our society, which required likewise no extraordinary measure for determining them; that we had no objection to their soliciting a Visitation for themselves, but knew of no right they had, for any end, to propose a Visitation of this University, without not only our concurrence, but even our knowledge. With equal decency, indeed, they might solicit a Visitation of the University of Glasgow; but an application from one University for forcing a Visitation on another, is certainly without a precedent. We told them, that a Visitation necessarily occasioned very considerable expence to the College visited, which we did not wish our revenue to incur, and to which they were not entitled to subject it; We declared our opinion, that a Visitation could not be, in any point of view, a proper step towards promoting an Union; and we remain clear in the same opinion. All former royal visitations have been appointed, for trying the Members of a College according to its foundations and statutes, by which they have been always limited, for enforcing the observance of these, for adding new statutes, where the necessity of them had been previously decided by a majority of that College, or for correcting internal disorders, which could not be corrected by the *ordinary* visitors, or in the common course of Law; but the object of the visitation now proposed, is wholly new, totally different from all these, and contradictory to most of them; there is no insinuation of any criminality in us, to give a shew of countenance to an application for it; its avowed object is to annul all our present foundations and statutes, and afterwards to model



model a new constitution of one University from two, as the visitors shall think proper, without any law or known rules to limit them ; and if any members or patrons are dissatisfied with their plan, to compel their acquiescence, with a high hand, by pure authority. In this, we have a greater regard to *liberty* than to concur. This unprecedented measure would not, after all, bring the design one whit nearer ; for it could not compel patrons and other parties concerned, who are not members of either College, subject to a Visitation ; nor prevent any person interested from opposing the design, when brought into parliament. Which party held the most *mysterious* conduct, and whether we were not fully justified in refusing to concur in carrying forward a scheme, which had been begun and carried so far in such a manner, the public will judge.

When it was known that *seven* members of the King's College were decidedly against prosecuting the present plan of union, under the above circumstances, and only *two* declared for it, it might have been expected that it would have been dropped : For it was the explicit determination of the one party, the King's College, not to enter into a treaty with the Marischal College, the other party. But as former proceedings led us to suspect, that this would not be the case, some days after the annual meeting, two of us, in name of the whole, waited on the gentleman of the Marischal College, who had brought forward the scheme, conversed coolly and deliberately about it, were informed by him that no steps had been taken since the annual meeting, nor any letter to their chancellor on that subject written or agreed to ; and on their proposing, that, if such a letter was resolved on, it should be communicated to us, he said that this appeared reasonable to him, but he could not answer for the society. Next day one of us waited on the Principal, and made the same proposal to him, but he refused to communicate to us any letter which they might resolve on writing. On this refusal he was told, that we found ourselves at liberty to take what steps we judged proper for our own defence. The first of them (and that from our high respect to his Lordship, that if he was pleased to give us a fair hearing, we might have no need, in a body, to take any other step) was to write a letter to their chancellor, expressing our sentiments concerning a matter in which we were so materially interested, and the reasons of them ; to this his Lordship vouchsafed no answer ; and they now tell the world, that they have been informed of the whole, and boast of our ill success ; and one of these gentlemen affirms, that they are acting under his Lordship's direction.

All their actions have been anxiously concealed from us ; without our knowledge they concerted and published their *outlines* ; and several days after they had been sending them to different parts of the country, a single copy for the use of us all, dated July 17th, came to the principal's hand on the 19th. At the same time they had done what that publication gives no hint of : they had sent about a petition, (of which we have at last found means to obtain a copy,) from the members of the Marischal College, with Mr. Ogilvie and Doctor Dunbar of King's College, to his Majesty, praying that he will appoint a *visitation of both these Universities, for the purpose of examining into the advantages to be expected from their being united, and for adjusting a plan according to which the union may be accomplished* ; and along with it a *paper of approbation*, which we have not yet seen, to which they solicited subscriptions, as if they intended to overpower us with the authority of great names, without allowing us a hearing, or them any information concerning our reasons for opposing the proposed plan. Of this we got notice only by the candour of a Nobleman, to whom that paper was presented, but who very properly declined subscribing it, till he should learn the sentiments of the members of the King's as well as of the Marischal College ; and on July 16th wrote to the Principal for that purpose.—The advertisement, by which we asked only, that Noblemen and Gentlemen would *candidly wait information from both sides, before they give their names to a project which so deeply affects the rights and interest of this university* : and the advertisement by which the members of Marischal College warmly oppose this reasonable request, but without denying one fact alleged in support of it, are both before the public, who will judge on which side most warmth or most candour appears. Our refusal to co-operate with them, they represent as a sufficient reason for their making no communication of their designs to us, and yet, not very consistently with this, they at length call on us for our *good offices* in suggesting improvements on *their Plan* : But we think that no reason can justify, either the proceedings which occasioned that refusal, or their afterwards persisting in any scheme so deeply affecting our rights and interests, which they thought they could not communicate to us. At present the King's and the Marischal Colleges are separate and independent societies, and any treaty between them as such, ought to be alike voluntary on both sides, and to be proposed on some terms of equality. The former have a large revenue, under their own management, and an extensive and valuable Patronage, not only of Bursaries, but of Offices : When the latter solicit an Union, they should have something to offer for a participation in all this ; but they have nothing, for their revenue is little above one half, and they enjoy no Patronage, except of a few small Bursaries. Yet, without so much as the knowledge of the other society, they have formed and prosecuted a design of claiming that participation, and of forcing it by the authority of a Visitation ; and, after the known refusal of that other society, they have laboured, in the like concealed manner, on their own partial information, to prejudge the public in their favour, and to procure powerful assistance in that strong and extraordinary measure for accomplish-



ing their purpote. This is just as if one person should (because he thinks some advantage would accrue to the public) insist with his richer neighbour, that their estates should be thrown into one, and equally divided between them; and should call his refusal a sufficient reason for secretly engaging the influence of great men, in order to obtain an extraordinary Commission from the Crown, for carrying it forcibly into execution.

THE reasons assigned in favour of the scheme which has been pursued in so extraordinary a manner, fall next to be considered.

We have the utmost respect for persons of high rank, and particularly for those who have been consulted in this matter: but, in perfect confidence with that respect, we may observe, that their very elevation, their distant residence, and other circumstances, may prevent their having perfect knowledge of the state of that part of the country with which these Colleges are connected, and of the course of education which it requires or can admit. The private gentry, the clergy, and the richer farmers in the northern parts and the highlands of Scotland, who have themselves been educated in one or other of these seminaries, who send their children to them, and from whom nearly all the students of both must always come, are not incompetent judges, and have, on all occasions, very generally disapproved of an Union, as to them *disadvantageous*, and declared that the separation of the Colleges gave a desirable choice, between one situated in a pleasant retired village, where they are under the constant eye of their masters, and another in the middle of a large trading town; and that their vicinity promoted emulation and diligence in the masters, and proved a check on raising the expence of education so high as elsewhere, and above what the circumstances of the country can bear.

If it be true, that in universities *where the classes are most numerous, young men pursue their studies with great ardor and diligence*, it cannot be ascribed solely or chiefly to their number: on the contrary, if this could increase a spirit of application in the few who least need a spur, it has a plain tendency to promote dissipation, irregularity and idleness in the generality; and it makes it impossible for the master to bestow the same pains and attention on each, which he could do in a smaller class, and which is peculiarly necessary where boys come so young to College, that without careful and frequent *examinations*, the best lectures would be totally useless. But in thinner classes than ever are in either College, a skilful teacher can never want any proper means of exciting emulation; and the places which have been obtained, many of them by competition, by young men educated here, the stations which they have been found fit to occupy, and the figure which they have made in them, demonstrate how well they had been educated.

Before a step of such magnitude as the proposed Union be taken for the sake of schools of law and medicine, there would need to be a *certainly* of its answering the purpose; but we are convinced, that there is scarcely a *chance* for it.

For a school of Law there is no necessity for an Union: In the King's College there has always been a Professorship of laws; but for a century past, none in that office have found the smallest encouragement for opening a class. An attempt at it was made near forty years ago at Aberdeen, by a person unquestionably well qualified, but without a shadow of success. In Glasgow, the establishment of any law class is owing only to the great exertions of the present Professor and his immediate predecessor; it must cease if ever these shall be slackened, and the office become, as formerly, a sinecure: but still there is there but *one* Professor of laws.

For giving success to a Medical College, it is not enough to erect Professorships; and that other circumstances, no less indispensable, cannot be hoped for at Aberdeen, both experience and reason lead us to believe. Our present Professor of Medicine, at his entry, advertised for a class, but found no students. Very lately an attempt to introduce the study of Botany was encouraged by both Colleges, but had scarcely a trace of success throughout one season. Several years ago Doctor Gregory, in conjunction with another Physician of first-rate abilities, opened classes in Aberdeen for the several branches of medicine, and persisted in giving lectures for two sessions, but were attended by scarce any students of medicine. The high reputation with which Dr. Gregory afterwards taught at Edinburgh, is a demonstration that his failure here was owing to local circumstances, which must be expected always to produce the same effect; and they are pretty obvious.

At Edinburgh, and even at Glasgow, the largeness, riches and populousness, both of the towns and of the immediately circumjacent counties, draw together a great number of the most eminent Physicians. At Aberdeen there cannot be so great a number, nor consequently so ample a choice for four or five medical Professors. The ablest Physicians there may be expected to have the most extensive and lucrative practice; and a great part of it is known to be in very distant parts of the country. This is absolutely incompatible with regular attendance on any class, and the large emoluments of his private practice, no man will sacrifice for a class, the fees of which do not compensate them. Such classes there are at Edinburgh, but such cannot be reasonably looked for at Aberdeen; and without them the Professors would either teach with the assistance of such deputies as they could find, or give up teaching altogether, and the multiplication of medical Professors would prove only the multiplication of *sinecures*.

That it will be otherwise, the *Outlines* express only *hopes*, but bring no *proof*; though, before the present constitutions of two Universities be subverted in the contemplation of it, some proof, or at least some



experiment is necessary. Let an experiment be made. It is asserted, that *in the present disjointed state of the two Colleges, it would answer no good purpose to open schools of medicine in either* ; but the assertion is not supported by a single argument. It would answer the best purpose. There are already two Professors of medicine in these Colleges : at Glasgow there were no more, and were the Union to take place, they must be the only ones for a considerable time : let these open classes in conjunction, as the two Professors of Divinity have always done : let them have all the assistance from others which shall be found necessary, as was the case at Glasgow ; and in procuring it, the King's College will not be backward : let them go on as long as is requisite for a fair trial. If it succeed not, this will be a demonstration, that the promised advantages of a Medical College are all chimerical. If it succeed, it will then be time enough to think of perpetuating or enlarging it, whether by an Union, or by some other means by which many additional Professorships have been formerly erected in both these, and in other Colleges. The Medical College even at Edinburgh was begun by *one* Professor, in conjunction with purely voluntary colleagues ; and it was only after their experiment had signally succeeded, that it was erected into its present form.

If their hopes of success continue so sanguine as to deem no experiment necessary, let them leave the King's College in possession of the offices and privileges which it now has, and at liberty to apply its revenue for ever to the purposes to which its founder and other donors have expressly appropriated it ; and let them take what means they think proper for converting the Marischal College, (which they have discovered to be, in its present form, unnecessary) with the revenue belonging to it, into additional professorships, constituting another College, either by itself, or in the University, like the new and united Colleges of St. Andrews. This will produce the very same advantages as their desired Union. It shall meet with no opposition from us ; and it will certainly be easier to procure an alteration of the form of one College, than to overturn the constitution of both.

A Botanical Garden is connected with a Medical College, and without this could answer no purpose of academical education, where there are no summer students. The libraries of both Colleges, alike open to all, are already valuable, and receiving continual accessions both from funds belonging to them, and by donations. The King's College has a museum handsomely furnished, fully sufficient for the students, equal perhaps to any in the kingdom, and always increasing. The Marischal College has an observatory ; by the like means as it was erected, it may be improved ; and an Observatory is subservient, not so much to the academical course, as to general observations or discoveries.

By these considerations we are convinced that the proposed plan of Union is neither necessary, nor would be productive of the advantages so liberally ascribed to it.

BUT it is a plan to which we could not think ourselves at liberty to accede for the sake of any advantages. For it runs in absolute contradiction to our foundation and statutes, which we hold sacred, and are bound by our oaths to maintain.

By the foundation of King's College, and by the posterior donations, its whole revenue is expressly appropriated to the maintenance of the members and bursars therein *specified*, and the buildings ; and to these purposes only it has constantly been religiously applied. In the plan of 1754 the very same application was secured. In that of 1770 these purposes were provided for in the first place, and others put in view only after these should be sufficiently answered. But the present plan pays no regard at all to the intention of founder or donors, but in contempt of it, perverts a great part of the revenue from the purposes fixed by them, to totally different purposes ; as if solemn deeds were of no force, but could be changed at any time, according to the present and mutable ideas of one set of trustees.—Some of the general heads of that plan require more particular notice.

As they have given no designation of their fifteen Professors (by the last plan there were only to be eleven) they have not put it in the power either of the public or of us, to form a judgment, whether they are all either necessary or useful ; for the reasons already given, we are convinced that some of them are *neither*.

We are left in the same darkness, with respect to the *distribution of the classes* ; but we may perhaps nearly conjecture it from what was proposed in 1770. It was, that the classes for Medicine, Anatomy, Mathematics, Greek, Natural History and Natural Philosophy should be *unalterably* fixed within the Marischal College. The Principal, with the Professors of Divinity, Law, Moral Philosophy and Humanity, were appointed in King's College ; but not *fixed* ; for the two latter were allowed to open their courses in the other College ; and as the scholars of the last are the very same who attend the Greek and Philosophy classes, and the scholars of both are subject to the same public discipline with these, they could not without absurdity be kept at a mile's distance from them. It is remarkable that, by this scheme, of all the members founded by Bishop Elphinston, only the Principal, who teaches no class, and the Professor of Laws, who has never been able to find a class, are left in his College ; and all the rest, as well as the revenue, made a mere accession to the Marischal. The members of King's College who listened to this proposal in 1770, are surprised that they did not then perceive, that this was truly to annihilate that  
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College, to leave it but in name, and for the sake of that name, to support expensive buildings, which too would be in a great measure useless. They are likewise clear, that to separate into two bodies at a mile's distance, the members, not only of one University, the proper business of which would not require frequent meetings; but of one college, who ought to meet all together about *every particular* both of discipline and management, would be unexampled, highly inconvenient, and necessarily productive of faction; all which, joined to the useless expence of buildings, would not long leave this college so much as in name.

By the plan of 1770, the present incumbents were to enjoy during their life, not only what they then had, but *all improvements and augmentations to which they would have been entitled, if no Union had taken place*: By the present, they are to have what they *at this time enjoy*, and are thus cut off from all improvements of the funds belonging to them. Besides, most of us have manses and other accommodations annexed to our offices, and others are furnished by the College with good houses at a cheap rent; leases of all which would not bring one half of the rent of houses for us in Aberdeen. The great loss of property which we must thus sustain, our opponents cannot justly subject us to at their pleasure, without our consent, and our consent they cannot reasonably expect.

It is only the King's College, (not *some members of each society*) that has at present the patronage of offices, and the management of its whole revenue; by allowing these privileges to remain with the present incumbents, the Marischal College offers nothing; yet supposes that they may be deprived of them on a compensation; but what compensation they have it in their power to propose, we know not.

Other Patrons will not, perhaps, think their rights preserved *entire*, by a Vice-patronage of the offices in their gift: and no compensation can be made to them, but at the sole expence of privileges now peculiar to the King's College.

To the establishment of a Medical School *immediate* attention cannot be paid, nor an Anatomical Theatre and Botanical Garden *soon* provided, not till vacancies shall happen; because all the revenues of both Colleges are already appropriated to absolutely necessary purposes, for which they are not more than sufficient.

Without encroaching on these purposes, the state of the revenue could not permit those objects to be attained, and 100l. per ann. set apart for an accumulating fund, even after the Union were completed. According to all the ideas suggested on former occasions, or that can indeed be properly suggested, the present salaries of the several offices in King's College, and of the Professorship of Mathematics in Marischal College, must continue to be the salaries annexed to the same offices in the United College. Out of the other salaries of the Marischal College, the additional Professorships must be endowed; and after assigning them salaries proportioned to the others, and setting apart 100l. per ann. there would remain from the salaries of *three* suppressed offices, for all the great designs held forth, and for the future arbitrary disposal of the *Senatus Academicus*, nearly *nothing*. But if it had been otherwise, to neglect any present useful purpose, for the sake of accumulating a large fund, to be applied by remote successors, to we know not what uses, according to their judgment, perhaps their caprice, appears nowise proper, was no part of the intention of our Founder, but is rather contradictory to his express injunction.

To the *advantage of their successors*, the Members of King's College have, for more than thirty years past, *extended their care*, in a far more proper and effectual manner; by improving the revenue nearly one half, and putting it into a continually improvable state, the benefit of which their successors will reap, and are justly entitled to. But this their just claim, the *outlines* would preclude for ever. They indeed hold out a future augmentation to such Professors as receive no fees; but they only mock them with the prospect; for it may be for ever disappointed by the humour of any *three* out of sixteen, and these too interested in opposing it; and thus these Professors, among whom the Principal must be numbered, may be hereafter reduced to as great penury and distress, as the present Members would be in, if confined to the precise sums of money allotted them by the foundations, while at the same time the funds destined for them could afford them an easy living, but were perverted to other uses, for none of which they were ever destined. All the other Professors are expressly excluded for ever from any augmentation, whatever may be the value of the funds now belonging to their offices, or the expence of living, and are made dependent on their fees. The natural consequence would be, the raising of these fees, to the distress of the students; and even this may some time prove insufficient for their decent support. Salaries so high as to be alone sufficient for this, might produce negligence in teaching, but of this there is no risk from such augmentations as any Union could permit: but if the salaries be not such as, together with the customary fees, to make a decent living, the effects will be as pernicious; well qualified persons will not accept the offices; or they will resign them on the first opportunity, as several of the ablest Professors in these Colleges have within a short time done; or they will continue to teach with little spirit, under the pressure of poverty and meanness. Our successors have the same right to all future improvements of the revenue destined for them by their Founders, as we have to our present salaries: and for us to surrender these, from them to other uses, would be, were it in our power, not *disinterestedness* or *liberality*, but *injustice*.

WHEN all these things are considered, it will appear, how far the favourers of the Plan have given those



those to whom they have applied, a *perfect understanding of all the circumstances of the case*, and how far the opposers of it have *weighed their arguments*, or are actuated by mere *passion and prejudice*. To call it *improper*, seems to us too little; we think it injurious both to us and our successors, without any prospect of real public utility. Not only from the interference of rights, which cannot be easily adjusted, but from its illegality, as being contradictory to our Foundation, and from the insufficiency of the revenue for the purposes designed, we are convinced that it is *impracticable*: Its being in such respects impracticable, appears to us the best possible reason for our not only refusing to concur in it, but opposing it with all our vigour.

We are sorry, that the necessary explication of our sentiments has run into so great a length. To hold forth specious general ideas of advantages, admits greater brevity than is possible in examining the solidity or exposing the fallacies of such views. We submit them to the Public, with readiness to explain them farther, to any who shall candidly desire it, but with a firm determination to enter into no altercations on the subject; and we desire its countenance and support, no farther than, on fairly *attending to both sides*, our cause shall be found to deserve it.

*King's College, August 21, 1786.*

## No. VI.

**OBSERVATIONS** *on a Memorial from the University and King's College of Aberdeen, concerning Outlines of a Plan for Uniting the King's and Marischal Universities of Aberdeen: by the Professors of both Colleges engaged in endeavouring to promote an Union.*

**I**T is scarcely worth while to enquire with what propriety a memorial can be said to come from an University, consisting of a Rector and fourteen other members, when that memorial has not received the sanction of the Rector's approbation, and has never been produced in any meeting regularly called, or where more than six of the members were present. We hold it to be the Memorial of the Principal with his six Professors, calling themselves both *The King's College of Aberdeen*, and *The University of Aberdeen*.

We can have no pleasure in dwelling (whatever advantage our argument might derive from it) on that apology for the want of consistency, which our opponents find necessary to premise to all their disquisitions.

They oppose the present plan of Union, because *it runs in absolute contradiction to the principles on which former plans proceeded*: The principle of the first plan, was the augmentation of salaries, by suppressing offices, and the sale of buildings. The principle of the second plan, was the augmentation of salaries, joined with the improvement of education: the principle of this last plan, is the improvement of education alone, excluding all augmentation of salaries, derived from the suppression of offices or sale of buildings.

These are the differences of principle; and on account of these differences of principle, it seems, nay they avow it, the Principal of King's College with his adherents, strenuously supported the first; acted for a while ambiguously with regard to the second, which at length they abandoned; and have now determined, *with all their vigour*, to oppose the last.

Frequent reference is made by the writers of the Memorial to this ancient and much approved principle, the augmentation of salaries; and hints, not obscurely couched, are thrown out, that could it any how be recalled, unanimity, its former companion, might return.

A pretty distinct, but long account, of the foundations and progressive increase of both Colleges follows next, introduced merely for the purpose of remarking, that *from the above state of facts it will appear natural, that the Marischal College should always be disposed to promote an Union*. The circumstances on which this inference may be founded, are far from being obvious; they must be clear-sighted gentlemen who perceive them, and therefore we may ask them to explain, why in 1754, when the augmentation of salaries was the object, the Masters of King's College appeared remarkably more eager than those of Marischal College seemed to be, until a certain supposed discovery took place?

There can be no absurdity, these gentlemen think, in two sets of Professors being employed within a mile of each other, in teaching the same elements of Philosophy and the Greek Language to very thin classes, since in Cambridge there are 16 Colleges, and in Oxford 25. But are they so little acquainted with the state of the English Universities, as to suppose, that in Cambridge there are 16 sets of Professors, and in Oxford 25? Let them be informed, that in each of these extensive Universities there are only single Professors of Greek, of Mathematics, of Natural and Moral Philosophy, of Astronomy, of Chemistry, of Botany, of Anatomy, and not more than two of any other branch of science or literature whatever.

We pass over their erroneous account of the proposed Union in 1770, and the long querulous narra-  
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tive of what has hitherto taken place on the present occasion, reserving the various misrepresentations with which it abounds, for future examination, if this controversy must be continued: But we ask our opponents, what inference they would draw from all the facts, were it granted, that they had passed exactly as related by them? What apology for refusing even to confer, concerning the practicability of a scheme, which they knew was demanded by a respectable part of the public, which some of themselves had repeatedly approved, and which even yet none of them has ventured absolutely to reject? What is there in the mere proposal of a Visitation, that ought to irritate or alarm Professors conscious of having done their duty with their best abilities? conscious of fidelity to the trusts lodged in their hands?

Of what importance could it be to the proposed Union, that they should know by whom a Visitation had been first mentioned? What if one of their own colleagues had indeed proposed it? And what harm could ensue, had he intended in this manner to bring forward his own complaints, if, as they assert, these complaints are groundless?

These seven Gentlemen remonstrate, that their rights as an University have been violated, because they were not informed, before the public meeting in September, of every step that had been taken. What right had they to be informed of private conversation, and confidential intercourse; of what passed between the members of either society and the noblemen to whom they had access? Is it not said in their Memorial, that they themselves agreed to keep the plan of 1770 as secret as possible, from many of the parties concerned, in order to prevent alarms from misconceived ideas of it? Let them mention any step taken, of which they had a right to be informed. Was any deed of any kind executed? Was application made to any person in public office? Was there even a single minute entered in the records of the Marischal College?

They assert, that the issue of the public meeting in September, was *an explicit determination of the one party, King's College, not to enter into any treaty with the Marischal College, the other party.* The parties are inaccurately stated; it was an explicit declaration of the adversaries of Union in King's College, one party, not to enter into any treaty with the friends of Union in both Colleges, the other party, and in consequence of this, a determination of the latter, to make application to the public, (of whom both are the servants and trustees) for their interposition in their own cause.

*All our actions,* they complain, *have been concealed from them,* and it is true that, after their determination above-mentioned, we thought it became us, not to court any farther intercourse with them for some time; and when, on occasion of addressing the public at large, we thought it decent to pay them some more particular attention, and to request their good offices and assistance, they have returned our civility with an ill-founded remark.

But to what purpose recount all their proceedings? We seek in vain to recal them to proper sentiments: the public, we are assured, requires no explanation from us.

IT may avail more, to bestow some remarks on those inconsistent and vague ideas, which they seem to entertain, of the powers of Royal Visitors. In one passage of their memorial, they represent these powers as confined to very narrow limits, and altogether inadequate to the purpose of effecting an Union. But let them consult the records of that visitation of St. Andrews in 1579, when Buchanan acted as one of the Commissioners; there they will find, that powers were vested in them 'to redress the form of study and teaching be made or fewer Professors, to join or divide the Faculties, to annex every Faculty to such College as shall be found to be most proper, and generally to establish such order in that University as shall most tend to the glory of God, profit of the commonwealth, and good upbringing of the youth in sciences needful, &c. The auld Foundations and Erections of the saids Colleges and haill University, or any thing contained therein, notwithstanding.'

Let them recollect what powers have been exercised by Royal Visitors in these Universities. By what *proper authority* were the Professors of Divinity and Oriental Languages superadded to their own College? Was it not the authority of Visitors? By what authority have the Professors of Canon Law and of Music been suppressed? Was it not by Visitors? Or have they done this by their own authority; and shall not Visitors have power to make more important changes? They suppose, that Visitors have power only to establish such statutes as have been previously agreed to by majorities. But they may be assured, that Visitors need pay no regard to majorities, and are not accustomed to do so: that one of the most frequent objects of visitations is to over-rule, and break the force of majorities established by cabal: and the last visitation held in Scotland, in the year 1727, was particularly intended for that very purpose. Were such visitations more frequent, they would prevent certain mistakes into which Gentlemen are apt to fall, by which they are led to speak of the endowments of a College, as of their family-estate, (page 6th) and of the patronage annexed to offices, as of property, to be used *like money in their purse.*

On other occasions, our opponents express a certain dread, of what they call the *despotic and arbitrary powers* of visitors, together with an instant apprehension of suffering injustice from their interference in the present case; for they accuse us of endeavouring *to force an Union by the authority of visitors.*

We, for our part, entertain no apprehensions of any who may be invested with the Royal commission. We mean not to call down on others, and we do not fear to meet with, ought that may be accounted the smallest



smallest grievance, or unkind usage. Yet will we freely acknowledge, that this application for a visitation has not been a matter of choice. We wished to attain the end in view, by some less troublesome means; but since our opponents have refused all treaty, and even lately have rejected (with less respect to these gentlemen than became them) a proposal of referring the whole scheme to the two Rectors; we have felt ourselves urged by considerations of duty, not to omit the last expedient in our power, for accomplishing so desirable an end. In this proceeding we have the satisfaction to know, that our conduct meets with approbation from the intelligent public.

In the second part of their Memorial, our opponents are pleased to undervalue all those advantages which we were led to expect, from the proposed Union. Of the Medical School in particular, they affirm that it has not even a *chance* for success. To this very dogmatic prediction, we oppose the confident hopes, and earnest wishes of all who are acquainted with this city, and more especially of those who are most nearly interested, and best qualified to judge.

Dr Gregory and Dr D. Skene thought that it had a good chance of succeeding about 30 years ago. If that private attempt, by men of their abilities, failed, it serves only to show, in a strong light, that the systematic and permanent establishment of classes, in an united University, is requisite to ensure success for this or any similar scheme of improvement.

Doubtless it would be in vain to open such classes in either of the Colleges, in their disjointed state, while the students of each are accustomed to consider themselves as a separate flock; while the point of honour keeps them from leaving that College in which they happen to be entered; and from attending any classes, that are opened in the other; this would be accounted academical desertion, and very rarely is it known to take place.

Our opponents affirm in like manner, that a school of Law can never succeed: But if a single Professor has been able to establish a flourishing school at Glasgow, may not two command at least equal success in this city, more remote from Edinburgh, surrounded by a country, in which so great a number of young men are educated to that profession; and so many gentlemen of moderate fortunes, wish to give the most complete education to their sons, at the smallest expence?

One real objection to the proposed Union our adversaries have indeed brought forward, and have industriously placed it again and again in a strong light. We mean the danger that *fees* in the United University may be raised too high.

When the Outlines of our plan were prepared for the public, this objection was not overlooked; and the means of removing it, very readily occurred: but fully conscious of the best intentions, and well assured of a candid interpretation, we thought it unnecessary, to load that short sketch, with any account of the only objection, which the industry of our sagacious opponents have been able to discover. We now beg leave to observe, that to prevent such abuses, will naturally become one object of the attention of visitors; this surely falls within their power; nor are we unprepared with a simple proposal to be laid before them.

All other fees are regulated by those which the bursars are obliged to pay: and the fees of Bursars may be regulated for all future time, by that proportion which they now bear to the average price of grain, as ascertained by the Fairs. If this seems not sufficient, we shall thank any gentleman for the candid suggestion of a better rule.

It is insinuated, that those persons of high rank, who approve the intended Union, may not be the most competent judges of academical concerns. *The private Gentry, the Clergy, the richer Farmers*, (to all of whom we conceive the proposal is not unacceptable) are, perhaps, more competent judges of the details of Education, the assiduity of Professors, and the treatment which Students receive; but, in a question relative to the constitution of Universities, and the Plan on which they ought to be modelled anew, persons of elevated rank, and various knowledge, who fill public stations, and are acquainted with Universities in other countries as well as this, may be presumed to be better qualified to determine what opportunities of pursuing useful studies, should be provided for the youth of an extensive country. In Scotland, the Senators of the College of Justice will be accounted most unexceptionable judges of such questions: and it happens, that some Members of that honourable Court, whose learning and public spirit are well known, who have received their education at these Universities, and are well acquainted with the state of the country, and the two Colleges, particularly King's College, (having acted as Council and Arbitrators in the disputes of that society) have given their explicit approbation of the proposed Union. We conceive, that the opinion of such men will be accounted a very strong testimony in its favour, and may tend to remove any doubts from the minds of those, who know themselves to be less informed of the circumstances, and less qualified to decide on the question.

In no part of this long Memorial have our opponents renounced their former opinions concerning the general expediency of uniting the Colleges: We observe it with pleasure, for their sakes as well as our own, flattering ourselves that they continue still as heretofore persuaded,

‘ That an Union of the two Colleges, if it can be accomplished upon a reasonable plan, might be of great consequence to education, in this part of the kingdom.

‘ That



‘ That it is the most effectual method to remedy the inconveniencies which attend the present state of these Colleges, and to provide for a more complete plan of education.’

And that they think ‘ small accidental inconveniencies too trifling, to be once mentioned in a matter of such public importance.’

Believing that these continue still their fixed opinions, and that all the objections stated in their Memorial arise from some mistaken apprehension of the plan we have proposed, we think it not improper, to bestow some pains in removing those mistakes, if they are disposed to listen to what may be candidly represented.

It was by no means intended, to overturn, or pervert, so solemn a deed as the foundation of King’s College: although we think that while the intentions of the liberal-minded founder are observed, great changes, and improvements, may be made as in former times, by *proper authority*. But that Union whose object is the improvement of education, may easily be accomplished, with far less appearance of change, or violation, than must have attended the Union of 1754, whose sole object was the augmentation of salaries, and with less incroachment on the real intentions of the founder than it is supposed may have taken place on various occasions, for different ends.

If, in consequence of a proper distribution of offices in the united University, by competent authority, one or two of the present Professorships should become unnecessary, would it be any violation of that foundation, to assign their revenues to a common stock for public uses, in which the members on the foundation of King’s College should always have a proportional interest? Would not this interest compensate them for the patronage of the suppressed offices? Or should they, according to the idea the Memorial gives of their pertinacity, in such transactions, insist for some farther compensation, would it be altogether impossible to gratify them? Are there not precedents in that College of offices thus sunk, and their salaries applied to no public fund or use, but to the sole augmentation of the subsisting salaries?

It was by no means intended, that any person should be deprived of any improvement of his salary, or other advantage he might reasonably claim or expect, any more than of what he actually possesses. Why should our opponents still forget, that these outlines were presented merely as such, to be filled up, corrected and improved?

It was by no means intended, that any member should be deprived of his House, or Manse, or obliged to quit his present residence, to undertake any new charge elsewhere: but that, whatever may be required of his successor, the present incumbent shall be at liberty to reside and teach where he pleases.

There will be no occasion for Vice-Patronages, if the number of offices is kept up to sixteen; and the only Patron to whom this insinuation is addressed by our opponents, has declared so warmly in favour of an Union, and perceives so clearly the necessity of a Visitation for effecting it, that from him we may expect much assistance in our endeavours; so far are we from dreading any obstruction, in consequence of their suggestions.

It was by no means intended to preclude the augmentation of any salary, by the progressive improvement of those funds from which it now arises. We intended only, to preclude the augmentation of salaries arising from the suppression of offices, or sale of buildings. The first appears to us a gross misapplication, and the second nearly allied to sacrilege. We regard with veneration, those edifices, which our Founders have seen with their own eyes, while rising from the ground, to which they have affixed their armorial bearings, and which they have destined to be the perpetual monuments of their munificence.

It is not easy for us to believe that our opponents could mistake our meaning in respect of augmentations; it is more probable that they chose to mistake it, that they might reiterate and insist on the danger of increasing fees; and herein their controversial skill appears to great advantage.

By insisting on this topic, they give occasion to remark a wide difference of opinion between us, as to the motives by which Professors may be excited to exert their abilities. We hold, that the opportunity of assembling numerous classes of students, is the proper incentive, and for this, among other reasons, we desire to see an Union effected. They profess, dwelling on the subject, that ample salaries are indispensibly requisite; and that little rivalships may prove an useful stimulus. What difference of sentiment may have led us respectively to these different conclusions, it is not worth while to enquire; which of them the liberal minded public will rather approve, admits not, as we conceive, of any doubt. If, neither the honourable sense of duty, nor love of the science which he cultivates, nor the pleasure of imparting that science to attentive youth, may rouse a Professor to the best exertion of his abilities, it is not likely, that his exertions can be of much value to the public; it is too probable, that his emulation of others may degenerate into *illiberal jealousy*, and lead to unworthy arts. How much or how little, our opponents may have heard of these, we know not: Others certainly have heard, more than they can recollect with pleasure.

We know that in the thinnest classes, emulation may be employed to excite the application of students. But it seems to us a great advantage attending numerous classes of young men, that the ingenious and diligent forming a *more* considerable body, their example diffuses a more powerful influence; emulation becomes



becomes less requisite, and whatever arises, must be the emulation of numbers, not the rivalry of individuals, or a few.

And however well young men may be taught at these seminaries, in thin classes, not exceeding thirty or twenty five, our opponents will not presume to say that they are not equally well taught at Edinburgh and Glasgow, in corresponding classes, containing three or four times that number.

They complain, that we have not specified the fifteen intended Professors, nor fixed any distribution of the Classes. Out of deference to the Public, and even to them, we have forbore. In this and other such particulars we looked for their good offices, and contented ourselves with just naming that number which appeared to us sufficient. To them this number seems too large; for they chuse to remind us (as claiming a preference) that eleven was the number they had agreed to, on a former occasion. We, on the other hand, are more inclined to enlarge it to sixteen, and would embrace with pleasure the suggestion lately received, of a Professor of Agriculture, or Rural Oeconomy. Such a chair has been established in some foreign Universities, particularly in Gottingen, and is just now very warmly recommended to those of England by an eminent prelate, himself formerly a distinguished Professor in more than one science.

As to the distribution of classes, it seemed enough to suggest the general rule of convenience, and the interests of education. We had entered into no detail, nor did we recollect the distribution of classes in 1770, until lately we found it in a Memorial relative to that Union, drawn up by one of the gentlemen now in opposition, with his usual clearness, and such solidity of sense, that the reasons for uniting the Colleges as there exhibited, appear to us sufficient to convert most of his present associates, if they, at our request, will be pleased to peruse them. The scheme of distribution contained in that Memorial is different from what our opponents have chosen to produce, and in no degree liable to those frivolous objections which they have endeavoured to fasten on it.

Our opponents have remarked, that an Anatomical Theatre and a Botanical Garden cannot be immediately established; and it is true, that some time will be necessary, before the University funds can afford the expence of either. But if our views and endeavours shall appear to deserve any public aid, we entertain no visionary hopes of obtaining in the mean time what may be requisite.

The Principal and his associates (perhaps not all of them) are disposed to treat with sarcasm, the idea of an accumulating fund. We adhere however to that plan with increasing attachment, well assured of public approbation.

And what reason have our adversaries to suppose, that our successors will at any time be less judicious in their management, more liable to caprice, or more tainted with an illiberal aversion to the interests of literature, than the present set of incumbents, in both societies, collectively taken? Or have they any reason to think that their own places may be hereafter filled by men less inclined to the disinterested and liberal expenditure of public money, than themselves? Or are they conscious, that had such a fund been established a century ago, they would have been tempted by its ample produce to speculation and abuse? Such foresight, or such consciousness, are the only reasons we can suppose, for refusing to spare a small pittance of our present income, for the sake of securing very ample emoluments to the society in future times.

It is in vain, that they endeavour still to represent this difference of opinion, as a contest between the two societies. They are not the King's College: They are only seven members of fifteen. Two of the other members have joined with the whole body of the Marischal College for procuring an Union. The remaining six have not joined with the Principal, and tho' we have not urged any of them to take a share in the active measures we pursue, yet we are assured, that several, perhaps all of them, desire much to see an Union accomplished, and perceive no objection to the outlines we have proposed. To one of these gentlemen we are indebted for suggesting that proposal of arbitration, which our opponents superciliously rejected.

Let it be taken for granted, however, that the Marischal College is opposed to King's College, and has solicited a Royal Visitation of both. Is not his Majesty the Patron of both societies, and Chancellor of King's College? Will Visitors be appointed without good cause? Will they, when appointed, proceed with a *high hand, from pure authority, and without law*, to harass individuals, to annul foundations and statutes, contrary to justice, or public utility? Is it decent to express such apprehensions? Or is it a becoming application of the money of either society, to employ it in consulting lawyers, and seeing agents, to oppose the exercise of an established and salutary branch of Royal Prerogative?

But they have too great a *regard for liberty* to acquiesce. In zeal for liberty, and a true comprehension of its interests, Buchanan was at least equal to any modern Professor. Yet he, in the reformation of St. Andrews, recommends Quadriennial Visitations by the Crown; nor will it be thought that, in the present age, periodical Visitations, at longer intervals, would prove detrimental to any public interest.

Ought it indeed to be supposed, that in these times, and under the present reign, any but the best consequences can arise, from the attention, or interposition of the Sovereign in academical affairs? Will it occasion any injury to individuals? Is it not likely that the interests of learning will be promoted? May it



not produce some new manifestations of Royal Bounty, if the state of these societies be found to require it? And should the Principal of King's College with his adherents, proceed according to the purport of a resolution entered in their records, to employ lawyers for resisting a Visitation, will not that be acting *just as* the old Lady, somewhat disordered in mind, who sent for her attorney and feed him, to keep the physician from entering her house?

IN the conclusion of their Memorial, they declare a fixed purpose, of avoiding all altercation on the subject. Had they formed this prudent resolution some weeks ago, we should have been spared the task of refuting their advertisement, in all the newspapers of this country.

Equally desirous to avoid altercation, we profess the utmost readiness to explain our sentiments and views to the public. We thank that public for much favourable attention, and support. The cause which we maintain is their cause; and seems to be understood to be so. In the face of this declared opposition, we proceed with good hopes of success, wishing still to profit by every suggestion of improvement in our plan, which the friends of literature and good education shall be pleased to communicate.

Once more, we entreat our opponents to return to those sentiments which did them honour in former years; to consider the subject coolly, as a public interest, as connected with the advancement of learning, which we believe they still love; as that "in which the country in general, and the whole North of Scotland, has a greater interest than any Society or Town," and when they are disposed so to consider it, they may be assured, that "whatever our recollection may suggest," we shall be ready "to have concert with them," even with any of them, for the good purpose of effecting so desirable an end.

*The passages marked with inverted commas are copied from original papers written by some of the gentlemen in opposition, which are now in our possession, and may perhaps be hereafter published.*

## No. VII.

### INFORMATION from the Principal and Professors of the University and King's College of Aberdeen.

WE readily leave the public to form its own judgment of the *Observations* on our Memorial, published by the Gentlemen of the Marischal College, with the two in King's who join them in supporting an Union, so far as respects either the temper with which they are written, or the force of the arguments employed in them. But by our promise to *explain*, we think ourselves obliged, even without its being desired, to give information concerning some things, held forth by these gentlemen as facts, the real state of which the generality cannot be supposed to have access to know.

We neither are ignorant of the constitution of the Universities of Oxford and Cambridge, nor have misrepresented it in our Memorial. All the Colleges and Halls in these universities are instituted for *the very same course of education*; and that course is carried on in them, as much separately as in the two Colleges of Aberdeen, each College having "within its own walls lectures, disputations, and all professions in the liberal arts and sciences read and taught, in so much that they seem so many complete Universities, and are not inferior to some in our neighbouring countries\*." The persons indeed who carry it on, are termed *Fellows* and *Tutors*, not *Professors*: but they correspond precisely to those who are called *Professors here*: and though the members of both these Colleges be now best known by this designation, yet it occurs not so much as *once* in the foundation of either College: in that of King's, the members are designed either in general *Doctors* and *Masters*, or in relation to their places and faculties, *Principalis*, *Canonista*, *Civilista*, *Medicus*, *Subprincipalis*, *Grammaticus*, *Regentes*, &c. and in that of the Marischal *Gymnasiarcha*, *Præceptores*, *Regentes*, *Magistri*. There is therefore no ground, even in *name*, to compare them with those who are termed *Professors* in the English Universities, whose province is totally different. These are all of much later erection than many of the Colleges; they do not, as Professors, belong to any particular College, but to the University at large; their business is to give a number of Public Lectures, fixed by their several Founders, not in any College, but in the public Schools of the University; and these lectures the scholars of *all* the Colleges, of certain descriptions, are by the statutes obliged to attend; though no lectures are now in fact given by most of them. But by the *Fellows* of each College, the course of education was carried on, separately, for centuries before there was any of the places now called Professorships, in either University; and by *them* it continues still to be carried on in the same manner.

If the Gentlemen who favour the Union had been pleased to make enquiry before they published their *Observations*, they would have learned that the *proper authority*, by which the Professors of Oriental Languages and Divinity were incorporated into the King's College, was *not that of a Visitation*: but *legal sentences of the Court of Session*, pronounced in Processes of Declarator, raised first in favour of Mr

George

\* Aycliffe's State of Oxford, Part 2. Chap. I.



George Gordon, and afterwards on his success by Mr David Anderson, and finding that, by the Royal Charters of King William and of King Charles I. they had a right to be so incorporated. This being the case, upon record in the Minutes of King's College, and no doubt likewise in the Books of Council and Session, it can afford no argument for the unlimited power of a Visitation, which these gentlemen are so anxious to establish.

If they had consulted, with sufficient care, the records of the Visitation of St. Andrews in 1579, they would have found it as little to their purpose: for it was *not a Royal*, but a *Parliamentary* Visitation. These two are totally different. Parliamentary Visitors derive their authority from an act of the whole Legislature, and may be invested with whatever powers the Legislature can confer upon them. In the Parliament which met July 25, 1578, there was passed an act, appointing a Visitation of Universities and Colleges; and under the authority of that law, Buchanan and his associates acted in visiting St. Andrew's in 1579, and made reformatations in it, which were ratified in the Parliament which met October 20, 1579. The occasion of this Visitation was likewise great and extraordinary. The Universities had been erected in the times of Popery, and their Foundations were framed in conformity to that religion. But the reformation having been now established, many things in these Foundations became improper and impracticable; and therefore the Parliament empowered several great or learned men, to visit the Universities, and to make such alterations in their Foundations, as the change of religion rendered necessary. Thus empowered, they did visit them, and framed new Foundations and Statutes, which were afterwards ratified by Acts of Parliament. On the contrary, a *Royal* Visitation is appointed by *the King alone*, by virtue of his Prerogative; and, without enquiring into the precise extent of Prerogative in this matter, we may certainly hold it clear, that it cannot bestow any powers on Visitors to do what is contrary to established laws; and that *auld Foundations*, repeatedly confirmed by Acts of Parliament, must be, till they be by Parliament annulled, considered as established laws.

AS soon as we had published the foregoing part of our Information,† our opponents were in haste to publish *Remarks* upon it.‡ The weight of what they reply concerning the English Universities, we leave to recommend itself. The other two points, we find it necessary to take some notice of.

That it was the authority of a *Royal* Visitation, which incorporated the Professors of Divinity and Oriental Languages into the King's College, was brought forth in the *Observations*, in the form indeed of an *interrogation* but expressly as one instance, and the first, of *what powers have been exercised by Royal Visitors in these Universities*, and so expressly as an affirmation of that fact, that no address can explain it away into another meaning. Yet after this, these Gentlemen, in their *Remarks*, affect to have asked for information on this subject. It was doubtless their duty to have got certain information, before they imposed it on the public as a fact: but from us they have, in the present circumstances, no title to demand information either in a private or public manner. They, notwithstanding, now again enquire, whether the Royal Charters, which gave these Members a right to be incorporated, were not issued in consequence of the reports of Visitors? If they mean to intimate that they were, they will again deceive the public; for neither King Charles' Charter in 1642, (not 1619, which happens to be six years before he began to reign) nor King William's in 1698, have the remotest reference to any report of Royal Visitors, of whom there was indeed no appointment, at least, during the latter reign.

In order to shew, that the Visitation of St. Andrews in 1579, was not *parliamentary*, they quote an act of the Lords of *secret council*, appointing it. But that act rests wholly on the authority of the act of *parliament* 1578, to which we referred; for this appoints the persons named in it, for reforming what tended to superstition, idolatry, and papistry, *to report their proceedings to the King's grace and counsel, the first day of January next to cum, and to that effect, that they may tak furthyr ordour thereuntill, gif need beis*. And the act of parliament 1579, entitled, *Ratification of the Reformation of the University of St. Andrews*, expressly refers, in the preamble, to that former law, as authorizing the Visitation of that University.\* It is not therefore material, what alterations in the form of the University were then made: but

† Aberdeen Journal, Sept. 4, 1786.

‡ Ibid. Sept. 11, 18.

\* It gives us pain to remark all the *inaccuracies* in which these gentlemen allow themselves. In their *Observations* they assert that *powers were vested in the Visitors*, to redress the form of study, &c. *auld foundations*, &c. notwithstanding. But in the Act of Council vesting them with their powers (exactly conformable to the Act of Parliament 1578,) there is no such clause as the latter. It is found only in the *Act of Ratification* following the Visitation. This act begins with narrating both the Act of Parliament 1578, and the Act of secret council consequent upon it, then adopts the whole form of reformation proposed by the Visitors, next appoints certain persons for carrying that reformation into execution, by force, if necessary; and, after all this, declares in the very conclusion, that by so doing they shall incur no danger, nor be called nor accused for the same, by any manner of way in time coming, *the auld foundationis and erectionis of the saidis Colleges and hail University or any thing conteint therein notwithstanding, grantent his Majesty with advise of his saidis*



but they were not so great as those which are now proposed ; in particular, *three* distinct Colleges were retained in that University, *two* of them, within a few paces of one another, for teaching the same elements of Greek, Latin, and Philosophy : and when these two were not very long ago united, it was on the clearest grounds of expediency, and even necessity, for the support of the Masters, and only with the consent, and on the application, of all the parties concerned.

In consequence of the act of parliament 1578, and of a special act passed in 1584, on an application from *the Masters of the College of Aberdeen*, and giving *commission anent erection of the College of Aberdeen*, a reformed (commonly called the *new*) Foundation was granted to this College by King James VI. in 1592, and ratified by parliament in 1597. It was neither *Visitors*, nor the College's *own authority*, as the gentlemen are pleased to represent, but the *new Foundation*, both previously authorized, and subsequently ratified by act of parliament, that suppressed the Professor of *Canon Law*. They add, the Professor of *Musick* : but in the King's College there never was such. We suppose they mean the *Cantor* : but he was none of the Doctors, Masters, Batchelors, Students, or Scholars ; he was one of the *eight Prebendary Priests* of the Chapel, (who are always carefully distinguished from the others) whose business it was to regulate the music in the chapel, to lead the choir, and to teach music to the six singing boys belonging to it, and others willing to learn : and it was by the same *new Foundation*, that the *Cantor*, along with all the other Prebends of the Chapel, was suppressed.

The *new Foundation*, proceeding on a narration of many things in the *old* being adapted to the popish times, and of the insufficiency of the revenue for supporting so many members, proposed to cut off all superfluous and useless persons, and such as suited not the present state of religion ; and reduced the Masters to a *Principal*, a *Sub-principal*, with *three* other *Regents*, and a *Grammarian*. This Foundation, by its cutting off entirely the faculties of Law and Medicine, by its expressing less fully than the old, the privileges of the University, and by the alterations which it made in the mode of elections, was considered as taking much from the dignity and independence of the Society. But in 1617, an Act of Parliament allowed and confirmed to the College and University, its *old* privileges, immunities, and jurisdictions, and all such as it or any other had at any time enjoyed, (which another Act of Parliament, in 1633, ratified more explicitly, and with express reference to the old foundations in 1505 and 1527, and to the laws confirming them) from which, occasion was taken, by a Royal Visitation in 1619, for reviving the office of *Canonist*, but for a long time without a salary, till it was again dropt in 1640 ; and in 1664, Visitors appointed under the Great Seal, for prosecuting more effectually the Act of Parliament *for better provision of Universities*, found, " That there is no present Canonist, neither any necessity for " that Profession ;" and in this, the Parliamentary Visitation in 1690 made no alteration. Our opponents are welcome to any conclusion which can be fairly drawn from these facts.

They affirm, that the Royal Visitation in 1727, (which was of the College of Glasgow) was intended for *the very purpose of over-ruling and breaking the force of a majority established by cabal*. We recollect to have seen something like this asserted in anonymous papers, printed near two years ago, in favour of one Member of that College, who was engaged in opposition to almost all the rest ; and it was a representation of the matter very suitable to his views. But by information from very respectable Members of that Society, we are authorized to say, that it is a misrepresentation ;—that that Visitation was intended for explaining some disputed statutes, particularly one relating to the election of the Rector, about which there had been long and violent contentions ;—and that the acts of the Visitors regard only the manner of chusing a Rector, and of keeping the Faculty Meetings and their minutes ;—the right of presiding in these, and of ordering payments of money ;—the factor, and the manner of keeping his accounts, and paying the Masters and Bursars ; and what each of the Masters shall teach, their hours of teaching, and the length of their Sessions.

They go so far as to assert, that *to break such majorities is one of the most frequent objects of Visitations*. We can easily see where such language originates ; but we cannot see with what propriety the Members of the Marischal College can throw out the insinuation which it implies. We know, however, that such an object is not so much as hinted at, either in the Commissions or the Acts of the Visitations, whether Royal or Parliamentary, in 1563, 1619, 1661, 1663, 1664, 1669, 1675, 1680, 1690, 1717 ; that in all these, the *Foundations* are held to be the rule of proceeding ; and that no powers are either granted, or attempted to be exercised, beyond those which our Memorial states as the objects of *all former Royal Visitations* ; such as calling for the Foundations ; enquiring whether they be observed, if any defects or changes have crept in, and by what means ; reviving them, and making rules for enforcing the observance of them ; directing the teaching in the several classes ; taking account of the revenue, and whether the Masters receive their appointed salaries, and have such as are competent ; discovering and correcting abuses ; centuring delinquents, especially faction, and factious persons, who are troublesome in

*estatis* (of Parliament) *dispenses*. Standing in this connexion, it has no possible reference to powers vested in Royal Visitors for disregarding Foundations ; but very strongly the contrary, as clearly implying their being held so sacred, that Parliament reckoned an Act previously and specially *dispensing* with them, necessary to the safety of those who were to act, even under the authority of Parliament itself, in opposition to, or deviation from them.



in the society to which they belong. An application was made last year for a Visitation of the College of Glasgow, in order to the very end which they mention, fairly avowed, not attempted under any different pretence : and it was refused in a manner which can give little encouragement to similar applications.

We had said, that former Royal Visitations added *NEW Statutes, where the necessity of them had been previously decided by a majority.* They, omitting the restriction *new*, desire us to be assured that *Visitations are not accustomed to do so.* But they must excuse us from accepting their assurance, when we know from the act of parliament 1584, that *the form of Erection in the College of Aberdeen had been conceived by the Masters*, and was, on their *supplication*, referred by that act, to persons there named, that, on their report, it might be confirmed ; and from the Acts of Visitation 1569, 1675, 1690, that many points, even such as were not strictly *new* statutes, were expressly referred to the determination of the masters and members, and on their determination, enacted by the Visitors ; and when we have unquestionable evidence, that the very position which we lay down, was, on the late application from Glasgow, delivered from the highest authority.

In their *remarks* on the first part of our *information*, they assert, that the charter conferring the Bishops rents on these Colleges in 1641, and uniting them into one University, *is founded on the report of a Royal Visitation.* If it were so, it could be nothing to their purpose : For that Union left the two as distinct Colleges, (though in one University) in respect of their privileges, revenue, and offices, as they are since it was rescinded ; and without encroaching on the constitution or any one right of either, the charter made a gratuitous addition to the revenue of both, things nowise similar to the great and violent changes proposed by the present scheme. But the fact is, that the charter proceeds on a narrative of the King's having appointed certain persons for the single purpose of *enquiring into the present state of the University of Old Aberdeen and his College of the same, and likewise of the new College of Aberdeen called the Marischal College, and what would be necessary for their future help and support ;* and of their having reported that it would require about 500 l. sterling, and it unites them, in the manner already mentioned, and grants them the rents of the Bishoprick of Aberdeen.

The conclusion which they are anxious to draw from all these particulars, is, that we confine the powers of Royal Visitors within too *narrow limits.* But when the matters of fact are thus truly and accurately stated, the conclusion is of course inverted. It remains true, that the purpose for which they solicit a Royal Visitation is wholly new ; and that since it could not accomplish that purpose, except by being vested with *unprecedented* powers, the solicitation for it is totally improper.

To fix on us a charge of inconsistency, they represent us as, in other parts of our Memorial, ascribing *despotic* and *arbitrary* powers to Visitors. It is so far from being the case, that, in these parts, we speak not at all of the powers *actually* belonging to Royal Visitors, or of *our* idea of them ; but solely of the powers which would be necessary for enabling them to effect an Union in opposition to one of the Colleges, and that, the privileges of which alone it would encroach upon ; and of the powers which they who apply for Visitors in order to that end, must suppose to belong to them, and intend that they should exercise. If a Visitation is not really to effect an Union, it can be to no purpose to solicit it : And if it is really to effect it under the present circumstances, we still see not how it can be, except by *forcing* it on that College which declares decidedly against it, by its own authority, even by pure authority, and with a high hand ; we as little see what *law or known rules* there are for directing or limiting them, or how there can be an Union without annulling the present Foundations, by which the Colleges are plainly two. But the *decency* of supposing that a visitation will be appointed for such purposes, or, if appointed, will proceed in such a manner, belongs exclusively to those who solicit it, not to us who declare the solicitation to be in every point of view improper.

While they hold forth an *Union* as the object of the proposed Visitation, they intimate that the private complaints of one of our colleagues might likewise be brought forward, and give hints of *peculation, abuse, encroachment on the intentions of the Founder on various occasions and for various purposes*, hints of which we are well informed that some of them have not, in more private and concealed ways, been sparing ; and they attribute to us grievous *apprehensions* on that head. We will make no remarks concerning the propriety of the gentlemen of the *Marischal College* interesting themselves in that matter, or the candour of bringing it before a Visitation, solicited for a totally different purpose. We repeat, that we have no *apprehensions* on that head : And we can have no reason for any ; for we can assure the public with perfect truth, and whenever it becomes necessary can demonstrate, that we have never entered into a single transaction for which our foundation gives us not the *fullest powers*, and which has not been clearly for the advancement of the *public* revenue, and that the accession to it has been applied to every *other* purpose to which it was by the Foundation applicable, in a *far higher* proportion than to the augmentation of the *salaries* of the masters.

They profess that a solicitation for a Visitation was not their *choice*, and that they were laid under a necessity of adopting it, as the *last expedient* in their power. Yet it was one of the very *first* steps of which they thought ; it had been proposed before any treaty with us was rejected, or so much as asked ;



it was mentioned to us along with the *first* intimation of any design for an Union, and mentioned as an expedient for over-ruling those members who might oppose an Union. When they now say, that they mean not to *force us into any thing which we OUGHT to resist*, they avow their intention of *compelling* the King's College, and at the same time take upon them to judge for us, what we *ought* and *ought not to do*.

As an evidence of their reluctance to a Visitation, they urge their proposal of an *arbitration* to the Rectors of the two Colleges, which they accuse us of rejecting *superciliously*, and with an unbecoming want of *respect* to these two gentlemen. They did indeed propose that arbitration, and in a manner which, if we indulged ourselves in general epithets, we might without impropriety term supercilious.—Above a year after they had proposed a Visitation, three weeks at least after they had been circulating their Petition and Outlines, and had obtained all the subscriptions that they could in approbation of them, on Saturday August 5, they proposed to us, *That it should be referred to the two Rectors, to digest such a plan as they, after hearing both sides, shall think proper in all respects and practicable; each member of both parties binding himself not to oppose, directly or indirectly, that plan of Union which the Rectors shall agree on; and demanded an answer by Tuesday thereafter.* By this proposal they require us to acquiesce in a project for an immediate Union, without allowing us a choice; they take upon themselves to name the arbiters for both parties; Gentlemen for whom we have the very highest respect; but one of them a subscriber of their petition, and by that means one of themselves; and they assign us not four days, during all which some of us too were from home, for considering it; with a verbal intimation that, if we agreed not to it in that time, they would send up their petition to the King. We did indeed reject their proposal, but with the *utmost possible respect to the Rectors*. Our answer was to this purpose, *That we would with candour and the strictest impartiality consider any plan digested by the Rectors, having in our eye the public utility, and the rights and privileges of the King's College, and would return an answer in writing, but that this could not be done in concert with the gentlemen of the Marischal College, or their two abettors of the King's College, for reasons which their own recollection would readily suggest.* Farther we could not go: For a plan of Union involves many rights and privileges of the University, which we have no powers to submit to arbitration: And after some of us had on a former occasion, agreed to submit a point relating only to *one* of these, they had the opinion of the most eminent lawyers, that they had exceeded their powers.

In order to establish the right of the Marischal College to take the unexampled step of soliciting a Visitation of the King's College, they throw out that the King is its Patron and Chancellor, and think this sufficient. We reckon it indeed the honour of the King's College, that it was at its first erection taken under the peculiar patronage of the King, and that this patronage has been afforded it by all succeeding Sovereigns; and we have no doubt that the same patronage will be exercised by our most gracious Sovereign, for its protection against that invasion of its rights which is now projected. The Bishop of Aberdeen was Chancellor of King's College: When the office of Bishop was abolished by law, the members did on January 6. 1643, elect the Marquis of Huntly Chancellor; since that time they have often exercised the right of election; and it has never been refused to them. If the King be notwithstanding our Chancellor, he must be equally Chancellor of St. Andrews and Glasgow (of both which the Archbishops were originally Chancellors) and the Marischal College will have the very same right to solicit Visitations of both these Universities, whenever they please, and for whatever end they please, without their consent or knowledge, which they assume, in the present instance, to solicit, in that manner, a Visitation of the University and King's College of Aberdeen.

The promoters of an Union repeatedly affirm, that our *Memorial* is not the Memorial of the *University*, (which they represent as consisting of a Rector and Fourteen Members) as not having the sanction of the Rector's approbation, nor of any meeting where more than six were present. But if they had looked into the *foundation*, they would have found, that the Principal and Masters, at present ten, are the only persons to whom it commits the management of all College matters in the *first* instance; and they could not but see, both from the very first sentence of the memorial, and from the subjoined address, that in the name of these alone it is presented to the public. By the foundation, the Rector, in conjunction with his assessors, forming a court, is the ordinary *Visitor* of the College, impowered, once a year, to *review* and judge of the past proceedings of the Principal and Masters, and to redress such abuses as already do exist. But by it, the four assessors are constituent members of no meeting, except that *Rectoral meeting for Visitation*; and the Rector, besides it, only in certain *elections* there specified, but in no case, has a negative, as has been thrown out to the public: We know, however, with certainty, that *all* these five gentlemen are very far from either approving the present Plan of Union, or having no objections to their *outlines*.

Our Memorial was published under the authority of a meeting regularly called, of those constitutionally interested in it: and if, after this, they will hold the Memorial, not to be that of the *University*, they must likewise hold, that *TWO* are more than *SEVEN*.

They even accuse us of inaccuracy in considering the King's College as one of the parties concerned in an Union, and the Marischal College as the other. Yet they cannot but know, that at the time alluded



alluded to, there were no Rector nor Assessors in the King's College : and of ten, seven against two, cannot but be the College. These two are only *dissenters* from the College ; in that character only they can be heard ; they have no right to incorporate themselves with the Marischal College, or to assume a *nomen juris* to themselves in conjunction with its members. They ought likewise to have recollected, that neither of these two was present at the meeting where an Union was proposed ; that the proposal was made solely by the Members of the Marischal College, in their own name, and to the King's College ; and that they were not then very forward in acknowledging even this communication with those two, much less their being their associates in every step.

They call upon us to explain, why in 1754 the Masters of the King's College were *remarkably more eager* for an Union, than those of the Marischal. It is of little importance ; but the matter of fact, which most of us have good access to know, was *otherwise* : for some of the most respectable Members of that College were not, till after a considerable time, and with great difficulty, prevailed upon to concur in the measures pursued. We blame not the Members of the Marischal College for eagerness to obtain the *consent* of the King's, to an Union so clearly and exclusively advantageous to them : but when it leads them to attempt *forcing* it, against that consent, it becomes a *species* of eagerness, which cannot with truth be imputed to this College, or a single Member of it, at any period.

In their eagerness to cast personal reflections upon us, they assert that we throw out *hints not obscurely couched*, that if an augmentation of salaries could only be secured, we would be unanimous for an Union ; and that we avow that it is on account of its excluding this, that we oppose the present Plan of Union. But our Memorial needs only to be read to convince any person, that we throw out no such hint, and that every page of it contains many totally different reasons for our opposition, drawn from the unexampled manner in which the scheme has been all along conducted, its inutility, its impracticability, its contradiction to our foundation. Nay, their great complaint both in their own *outlines* and their *observations*, is, that from the very beginning, and before any one particular of their Plan was imparted to us, we refused any conference with them about an Union.

Returning to this favourite topic, they accuse us of asserting that *ample* salaries are indispensibly requisite. It will appear by only turning to our Memorial (page 14.) how much they misrepresent our words, and we are sorry to find it necessary to desire the reader to compare many of their other allusions to it with the Memorial itself, before he take it for granted that they are not either partial or perverted.

They are now, however, willing to admit all augmentations of salaries by the progressive improvement of the funds from which they now arise, and wonder that we could have supposed them to mean otherwise. But we still think even this irreconcilable to their assertion, that *ALL augmentation of Salaries shall be confined to those Professors who receive not fees*. Augmentations arising from the suppression of offices and the sale of buildings, their *observations* represent as *misapplication* and *sacrilege* : yet their *outlines* allow augmentations, even from the accumulating fund arising from that source, provided *three* of the members do not dissent from it. By their own proposal, then, the whole of that fund might, by less than unanimity, be applied, either directly or indirectly, to augmentation of salaries : and it would, in no long time, amount to so great opulence as might be dangerous in the hands of any University, and render its members independent of all teaching. And this very circumstance, notwithstanding their *increasing attachment*, and their boasts of *public approbation*, makes many who have attended to it, reprobate their scheme of accumulation.

They assert that we speak of the patronage of offices now belonging to King's College as to be *used like money in our purse*. From beginning to end of our Memorial, we defy them to find such an expression, or any like it. *Purse* occurs indeed in a set of anonymous *Queries*, for which we are in no degree accountable ; but even in it, there is not a hint of *using* patronage like money, nor any thing which amounts to more than this, That the rights of Corporations and Colleges are as much secured by Law, as those of individuals, a proposition which we cannot suppose any man hardy enough to deny. They likewise represent us stating that expensive dues, new classes, and prolonged sessions, will be the consequences of an Union ; but in this they again impute to us an *anonymous* paper, drawn up by one of the public, without so much as the knowledge of *any one* of us ; but which an endeavour has been in vain made to answer, by a person who professes himself well acquainted with what has passed in *our College Meetings*. We should be sorry, if their propensity to such imputations, arose from a consciousness of themselves being the authors of all the misrepresentation and abuse which has been *anonymously* thrown out against us. With the like justice, they represent us as speaking of the endowments of a College as our *family estate*. If they were such, we would have an undoubted right to defend them against such claims for a participation in them as are now made by the Marischal College ; but we would likewise have a right to surrender them if we chose. But our *Memorial* is so far from speaking of them as such, that on the *contrary* it plainly and repeatedly asserts that we are *Trustees* for them, and as such have *no power* to surrender them from our successors, or from the King's College.

They assert, that on the proposed Plan there will be no occasion for Vice-patronages. Certainly if three offices



offices be suppressed, either the patrons of three must be wholly deprived of their right, or must be satisfied with a Vice along with other three. If it is not proposed that any other patron should be satisfied with a Vice, the proposal of the members of Marischal College must be, that the King's College be stripped of *all the three* patronages, without their consent, on a supposed compensation, an interest, joint with the Marischal College which surrenders nothing, in a stock which we have, not at random but from an estimate of the funds, affirmed to be so inadequate to the purposes intended, as would render their plan abortive, but which they now profess their willingness to burthen with an additional professorship. What we had said of patronages, plainly in reference to the proposed invasion of the privileges of King's College, our opponents represent us as addressing to *one* patron: But there are *more than one* who are concerned to attend to it; for if a Visitation is really impowered to *form a Plan*, the proposals of our opponents on this or any other particular are of little moment; they will not be implicitly adopted; the Visitors will follow their own ideas, which may possibly lead them to think the patronage of Professorships more properly vested in the University, than in some other hands; in which event objectors will have the consolation which is held forth to the King's College, the trouble and expence of opposing a Bill in Parliament.

The interest which the public have in seminaries of learning, can give them no right to insist at pleasure on alterations of their Charters, or encroachments on their rights. Tho' Universities, as well as all other corporations, are intended for the public good, the public are not entitled to prescribe to a founder in what manner and degree he shall contribute to that good, nor to alter his destinations afterwards.— They must accept of his donations on his own terms, or reject them altogether; and if they wish for advantages which he has not provided, they must seek for them by other means. Parliament is indeed omnipotent; but it is not in use of altering foundations, on account of expediency, except it be both very great and demonstrably certain.

In estimating the advantages proposed by an Union, the point is not, that it would be an advantage to have at Aberdeen, flourishing schools of law and medicine regularly attended by able Professors; for about this there is no difference of opinion, nor any need of declamation: But it is, whether such can be expected with any certainty? We have produced many facts and reasons which lead us to believe that they cannot, of some of which they take no notice, and from others infer, rather, that without an Union they cannot, than that by an Union they certainly will take place, which would have been the only pertinent conclusion. We asked for proof that they would take place; they produce only a repetition of *hopes* and *wishes*. We proposed at least a trial, and the fact which we mentioned concerning the Professors of Divinity, on which they chuse to be silent, is a full confutation of *the point of honour* in not leaving the College in which students entered, which they now say would render such a trial *in vain*.— If the certainty of success were even proved, it would still remain proper, previous to determining for an Union, to enquire, whether the advantage may not be obtained by easier or more eligible means, whether a plan of Union subversive of the destination of Founders ought to be attempted, and whether it can be justly pursued or reasonably expected in face of the opposition of that College whose privileges would be principally or solely affected by it: And on these points we reckon it unnecessary to add any thing to what we have already said.

Among the advantages of an Union, our opponents never fail to introduce *numerous classes*; one certain good consequence of which would be *numerous fees*; and it seems to us the only *good* consequence that is even probable.

They represent our sentiments concerning the motives of Professors to exertion as widely different from theirs. But they may find in our Memorial, that far from declaring *little rivalships* a proper stimulus, we give no opinion of *our own* in speaking even of *emulations*, but that we simply relate the opinion of *others*; an opinion which always has been, and still is held by a great part of the public, very respectable, and, for the sake of their sons, deeply interested in the state of the Colleges.

In place of what we have said, that the very elevation of persons of high rank may prevent their having perfect knowledge of *the state of this part of the country, and of the course of education which it requires or can admit*, our opponents substitute, of *academical concerns*. When they addressed some of the clergy for their approbation of their *Outlines*, it was as persons *so highly interested in its success, and so well qualified to judge of its utility*: but now they are imperfectly qualified for judging of questions relating to *the constitution of Universities, and the plan on which they ought to be modelled anew*; the very question to which the *Outlines* refer. In our Memorial, we expressed what we knew to have always been the general sentiments of this learned body, respectable on every account, and more than any other class of men interested in the state of these Colleges; those of them too who compose the Synod of Aberdeen peculiarly concerned, as being the Founders, Patrons, and Visitors of the Professorship of Divinity in our University. We have good reason to believe that they still retain the same sentiments concerning the advantages arising from two Colleges, and are persuaded that few of them will be disposed to sacrifice these *certainties*, for the sake of prospects *precarious* at best, and, as far as experience can enable us to judge, even altogether *visionary*. The



Synod of Aberdeen in particular, we cannot doubt, will see reason to discountenance any application made without their knowledge, for fixing a Plan of Union which involves the rights and interests of their Professorship, and might affect these materially, against their consent, and even without their having an opportunity of being previously heard. Our opponents very often boast of the approbation of the intelligent and liberal public, as if it were undividedly theirs: but we have the satisfaction of knowing that, without solicitation, and after hearing both sides, we and our cause have the entire approbation of very many of every rank, and among them such as are well acquainted with the constitution both of the English and foreign Universities, and have pursued their studies in them.

We disdain either taking notice of or returning the polite epithets and general charges of *misrepresentations, pertinacity, inconstancy, erroneous or querulous accounts, dogmatic assertions, chusing to mistake, controversial skill, &c* which these Gentlemen bestow so liberally. While we have found it necessary to correct them in so many points of fact, on which they built either reflections against us, or inferences against our cause, we mean not an undistinguished charge of wilful misrepresentation. We know many of them, and wish to believe all of them, incapable of it; and suppose that most of them, if they really saw the observations and remarks before publication *in their name*, have only given too implicit credit to a few, who had imperfect knowledge of the matters of which they wrote, and whose sanguine imaginations converted all that they thought they knew, into the form most favourable to their wishes. If they shall go on in the like manner, we shall reckon ourselves under no obligation to follow them, or to take notice either of their, or of any anonymous calls; and we desire the Public not to suppose us answerable for any publications in our favour, which are not given in our name. We shall content ourselves with continuing firmly, calmly, and constitutionally, to defend the rights of this University against every attack that shall be made upon them, from whatever quarter.

## No. VIII.

REMARKS *on the Information from the Principal and Professors of the University and King's College of Aberdeen. By the Professors of both Colleges who wish to promote an Union.*

**I**T has been ludicrously observed, that there are two Universities in England, and two in Aberdeen. If any such comparison is seriously made, it must appear very far from pertinent, and the gentlemen who first made, and now insist on it, have incurred some suspicion of wishing to introduce obscurity and confusion into certain questions before the public.

We may be permitted however to remark, that all the Colleges in Scotland have certain members called Professors, who have been so called since the time of Buchanan at least, and who discharge the very same duties, which the English professors are appointed to discharge; they give public lectures, at fixed hours, on one or two branches of science, to all who chuse to attend them, and certain classes of students are obliged to attend these lectures; whereas the *Fellows* of English Colleges are never called professors, nor are they designed by the name of *Principalis, Medicus, Civilista, &c.* given to the Scotch Professors, in their ancient foundations. They are not required to give public lectures on any branch of science, and no class of students is obliged to attend any of them. They are authorised private tutors, who assist and direct young men in studying any branch of science or literature, and may have various classes of pupils under their care at the same time.

Again, altho' the English Colleges may *seem* to Ayliffe and these gentlemen to be Universities, yet they are not: Nor do they confer degrees of any kind: Whereas the Colleges in Scotland are also Universities, and confer degrees in arts, medicine, law, and divinity.—This is particularly the case at Aberdeen, and the absurdity of having two such Universities, seated within a mile of each other, with distinct sets of public lectures, and each separately conferring degrees in every faculty, is strikingly obvious. Most of our opponents twice thought it so: And one of them has described it well in the following statement;

“The impropriety of two Universities less than a mile distant from one another, is so striking, that all who are not particularly acquainted with the fact, take it for granted that these two Colleges form one University, and Government has considered them as such in several of its grants, and conjoined them in the exercise of several of their privileges.”

Certainly it is not with the Universities of England that we or our opponents ought to compare the system of education at this place: But with the flourishing Universities of North Britain. It is our ambition to approach nearer to the most eminent of these, by pursuing the same plan, and forming the same institutions for public service. If by their *vigorous efforts*, these gentlemen should frustrate our endeavours, (which yet we fear not) what honour can they derive from success?

We have asked in a public manner, (our private enquiries being obstructed) whether the Professors of



Divinity and of Oriental Languages were not superadded to King's College by the authority of Visitors? It is replied, that they were not, but by sentences of the Court of Session. We remark, that these judgments of the Court of Session did not establish, but only declared them established, by proper authority; and we enquire, Whether the Royal Charters, on which these judgments proceed, were not themselves issued, in consequence of, and in conformity to, the reports of Visitors, in the years 1619 and 1695?

We certainly know, that a more important Charter, that which conferred the Bishop's rents on these Colleges in 1641, uniting them into one University, and holding them so united, until the restoration of Episcopacy in 1661, is founded on the report of a Royal Visitation in 1641.

We beg leave once more to enquire, since they are silent on that head, by what proper authority the Professorships of Music and of Canon Law have been suppressed? And whether their revenues are applied in any way, which is not as great, or a greater deviation from the Foundation of that College, than any that can be required for accomplishing the proposed Union?

The records of the Visitation of St. Andrew's in 1579, were consulted by us with some care; and we are certain, notwithstanding what they represent, that Buchanan and his associates were *impowered* by a commission from the King in council, which is narrated in the following terms:

" His Highness, *with the advice of the Lords of secret council*, ordainit and commandit the Masters of  
 " the said University, to be at Edinburgh, at ane certain day, with the Foundations of their Colleges, to  
 " be seen and considerit, be any six, five, or four, of sic able, reverent, and circumspect persons, *as his*  
 " *Majesty, with advice of his said council, had chosen, and committit to them full power to visit and con-*  
 " sider the said Foundations of thir Colleges, and to remove all superstition and papistry, to discharge un-  
 " qualified persons, and plant worthy and qualified in their rooms, to redress the form of study or teach-  
 " ing be ma or fewer Professors, to join or to divide the faculties, to annex every facultie to sic College as  
 " shall be found to be maist proper, and generally to establish sic order in that University as shall maist tend  
 " to the glory of God, profit of the common wealth, and gude upbringing of the youth in sciences need-  
 " full, for continuing the true religion to all posteritie, *likeas the act of secret council made therein at mair*  
 " *length purports.*"

The proceedings of these Commissioners, which changed the whole form of the University, were afterwards ratified in Parliament; and the precedent seems very admissible in the present times, and very apposite to this case; since these gentlemen will not agree with us, to follow a more recent and less troublesome precedent in the same University, by concerting amicably a Plan of Union, to be brought directly before Parliament, without the intervention of Visitors.

If, in compliance with our petition, Visitors are appointed, if they find an Union expedient, and shall adjust any plan for accomplishing it, that plan, being brought before parliament, together with the objections which these gentlemen may produce, both will there receive an ultimate discussion, and that which is best for the public will take place.

It is this full and free examination, by every competent authority, which we solicit, and they oppose.

They have represented to the public, and to his Majesty's servants, that we mean to force them into an Union against their inclinations. We are far from meaning to force them into any thing which they ought to resist: we desire that their private rights may remain as much untouched as our own; but finding that our opinion of the expediency of uniting these Colleges for the improvement of Learning, is so strongly confirmed by the public voice, we have made humble application to the Crown, for an enquiry in behalf of the public with regard to the advantages of such an Union, and the means by which it may be effected, without injury to private rights, and with the least possible deviation from the antient constitution of these societies.

This enquiry, they have resolved to oppose, in all its stages, with their utmost vigour.

The enlightened public will form their own judgment, of the arguments, the temper, and the views of both parties: and to that judgment we cheerfully submit.

The sequel of their *information* was expected by us on Monday last, but in vain.

In the mean time, we observe a suggestion has been sent abroad by our opponents, which our respect for the good opinion of the public directs us to obviate without delay.— It is stated, that in the United University, expensive dues may be imposed on the poorer sort, new classes may be established, the students obliged to attend them, and the session may be prolonged.

These, and all such particulars, will come under the consideration of the Visitors, who will establish rules concerning them, to remain in force, until another Visitation shall take place. If, in the mean time, any alterations or innovations should appear proper, the consent of the Synod of Aberdeen might be made requisite for their establishment. That venerable body, always at hand, and perfectly competent to decide on such questions, may well be entrusted with this negative. They will neither suffer impositions on the poorer sort to take place, nor will they impede any change which the interests of learning and the improvement of education may require. This seems an adequate check to these supposed abuses: to us, no suspicion had occurred of their being likely to arise, and no remedy had been thought of; but we desire  
 to



to profit, not less by the surmises of our opponents, than by the friendly suggestions of those who favour the scheme.

As for the indolence or superciliousness of Professors, these are surely less to be apprehended, when greater objects are held forth to assiduity and condescending manners.

It is not requisite that we should trace and unravel all the minute and subtle objections contained in this long Memorial.

The views and motives of both parties being now sufficiently known to the public, that knowledge may serve as a key, by which the candid will explain the misconceptions on either side, and the misrepresentations held forth by any.

Our opponents are pleased to make exception against certain expressions, as deficient in politeness.—After opening this controversy, by an advertisement, in four or five news papers, accusing us of an attempt to deceive the public, they might well expect some freedom, on our part, in explaining our opinion of their conduct; but that freedom has been restrained; much that might have been said has been withheld, and the very expressions singled out, have been, for the most part, adopted from their own publications, where they were read by us without any emotion, as knowing them to be wholly misapplied.

If we have mentioned their controversial skill with some admiration, that ought not to have given them offence; It was the simple expression of our sentiments, which we have still new occasion to repeat.

It is no mean proof of such skill, that their Memorial and *Information* convey to all readers, not otherwise informed, a belief that we have applied for a Visitation of King's College by itself, and not for a Visitation of both Colleges jointly. It is not indeed affirmed, in these Memorials, that we have made such application for a separate Visitation, but this is the impression made on every mind by perusing them; and the mistake has prevailed with many.

Some persons have been astonished when informed of the truth: They thought that an application by one College (as they had been taught to suppose) for the separate Visitation of another, was a harsh measure, and might give occasion to some complaint: But, as a Visitation of both is desired by the friends of Union, and both are to be included in the same public survey, they cannot conceive the pretext on which so much clamour and outcry is founded.—What inconvenience, what harm can arise to the one, in which the other must not equally partake?

Others have seen nothing harsh or unreasonable, even in the supposed application for a separate Visitation. They have thought that the Marischal College might have good reasons, at any time, for applying to the Sovereign and common Patron, for the Visitation of a society, with which their interests and rights are necessarily connected, by whose proceedings their own endeavours to serve the public may be obstructed or promoted; with which they were once united in effect, and with which they remain still united in form, by a royal charter, which has never been recalled.

Our opponents admit the suppression of the Canonist's office by the authority of visitors; as to the suppression of the Professorship of music, they are silent. It is certain, however, that it was restored by Bishop Forbes\* in 1619, but again suppressed before 1664; and surely, the suppression of these two offices by College meetings, or visitors, without applying their salaries to promote any other branch of learning, must appear to the common sense of mankind, a greater departure from both the purpose and the letter of the foundation, than any change requisite for accomplishing the proposed Union.

That commission, on which the charter of Union in 1641 proceeds, is observed by them to be not a commission of ordinary Visitation, but an extraordinary commission, for the sole purpose of enquiring into the present state of the University, and what would be necessary for its future help and support. Admitting it to be so, is not this a precedent? May not such another commission be issued for the special purpose of enquiring into the present state of the University, and what would be requisite for rendering the system of education complete? May not this commission be issued separately, or superadded to the ordinary powers of Visitation?

On all occasions, they are pleased to represent the Plan of Union, now proposed, as an attempt to disannul and overturn the Foundations, repeating this invective in the strongest terms.—We appeal to the candour of the public.—We hold it a *sacred duty*, to maintain and to accomplish the intentions of our Founders, by every means in our power; and when the regulations and changes, necessary for that effect, are not within our own power, we think it incumbent on us, to propose them to those, who have authority competent to such purposes.

We may remind these gentlemen, that their charge comes with a bad grace from the five persons who formed and strenuously promoted the Plan of Union in 1754. That Plan manifestly tended to pervert the Foundations, by suppressing eight offices, for the sole purpose of augmenting salaries, without any provision for enlarging the system of education, or for any literary purpose whatsoever. Such a Plan, accompanied with the alienation of buildings, the Original Monuments of the Founder's bounty, we still continue to think somewhat a-kin to sacrilege.

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\* Hinc redierunt Professiones Juris Canonici, Juris Civilis, Medicinæ, et *Musices*.  
Professor Ker's Historical notes on his Poem *Donalides*.



We shall decline all enquiry whether the persons, who so readily impute such intentions to us, have ever themselves, in fact, violated, perverted, or treated with contempt the statutes or the evident intentions of a very liberal minded Founder: For, whatever their jealousy has suggested, it was not the intention of the friends of Union to lay before Visitors any complaints respecting the supposed mismanagement or disorders in the particular affairs of King's College. To avoid every apprehension of this sort, our petition to the Throne, communicated to them, was confined to one single object. We prayed only for an appointment of Visitors, to examine into the expediency of an Union, and the means by which it might be accomplished. They have objected to this, as wanting precedent, and we may find it requisite to apply simply for a Visitation, in general terms, in conformity to the precedents on record: and we flatter ourselves that the measure will neither give them offence nor alarm.

They have repeated, with little variation, several of their objections to the particular articles of the proposed Plan; and, in their eagerness to increase the number, they have brought forward new objections not very consistent with those they had formerly advanced.

In the Memorial, they represented the University fund as insufficient for the purposes assigned: in their *Information*, it is represented, as capable of amounting to so great opulence, as might be dangerous in the hands of any University. Let these suppositions refute one another: the truth will be found between them.

In the Memorial, they complain that the *humour* of three Professors might disappoint, for ever, very reasonable claims to augmentation of salary from the University fund: in the *Information*, they express their dislike, that less than unanimity should have power to apply any part of that fund to the augmentation of salaries: the medium between these rules may be preferable to either; and the idea first adopted by us, was that two Professors should have the power of negating every augmentation of that kind: it was changed to three, merely in order to avoid an expected comment on their part.

The doubts, which may really have occurred to their penetration, concerning any of these articles, might easily have been cleared up in amicable conferences, had they condescended so far: in particular, it might have been explained, in what manner the inconvenience of vice-patronages may be avoided: in what manner every claim, or just expectation of the present incumbents may be secured: in what manner that security may be extended, even to contingent interests; so that the Plans, which any of them may have reasonably formed for filling up the first vacancies, in their own society, may be exposed to no disarrangement or obstruction.

They assert, that *the rights of Colleges are as much secured by law as those of individuals*: no doubt they are equally secured; but they are not the same. The individual has right to use or to abuse his property, as he thinks fit. If he does no positive injury to others, the public will not interfere: but a College has right only to employ its endowments for the public service, according to statutes and rules prescribed. If these endowments are diverted to private interests, or nominally employed in a remiss execution of the public trust, will not the legislature interpose to rectify that abuse, to supply the defects of the earlier institution, and to accommodate the whole plan to the more effectual service of the Public?

It may perhaps, be admitted, that "*the public are not entitled to prescribe to a Founder, in what manner and degree he shall contribute to the public good, nor to alter his destination afterwards. They must accept his donations on his own terms, or reject them altogether.*" But the endowments of King's College are not to be accounted private donations. The original revenue and late acquisitions are, for most part, public property, granted by Kings and by Bishops, with the consent of Kings, and of their own chapters. The buildings indeed, and some adjacent lands, are the private donation of the founder; and even the *omnipotence* of Parliament would forbear to alienate any part of these. The power of distributing that revenue, of appointing the Professors and others, who were to receive it, of filling up vacancies, and making statutes concerning such matters, does not originate with any private Founder or donor, but was granted by James IV. to Bishop Elphinston, and his successors in the see of Aberdeen; and, that office being now abolished by law, the power, so conveyed, must have reverted to the crown without diminution, and may be exercised at pleasure by the officers of state, or a special commission of Visitors.

It is very manifest that these Gentlemen are desirous of confining the power of their public-spirited Rector within the narrowest limits: but is this agreeable to the constitution or the practice of their University? Is not the Rector their presiding head? Is not the general superintendence of all their affairs committed to his care? If they can act without him at all, is it not by his tacit permission? If he interferes, can they proceed? During the life of the late rector, was not every measure, which deviated, in the smallest degree, from the ordinary routine, referred to him for his approbation, and instantly dropt, if that approbation was withheld?

By the Foundation, the Rector is required, once a year, to hold a Visitation for the purpose of correcting abuses; and this, they seem desirous of construing into a limitation of his authority to that annual Visitation alone.



If they persist in opposing the Union, after an express intimation of the Rector's dissent, surely they will not *take upon them* as being the University; they will not come forward to make answer for it, nor issue Memorials as from that respectable body; they will content themselves with returning to their original designation, *the Principal and Six Professors of King's College*; for that alone can suit them; and it is not with the University, but with a few only of its Members, that the friends of Union have to contend.

It has pleased these Gentlemen to express a certain acrimonious aversion to be united into one society with us. We feel no such reluctance with regard to them: their present heats we understand to arise from mistakes, and transient interests; a well-regulated Union will oblige us all to exert our best efforts in advancing learning, and the good education of youth: the pleasure of that new situation will dispose us mutually to forget whatever eagerness or contumacy may have suggested during the contest.

After all, what is the real subject at present in dispute? A majority of the two Universities, with the concurrence of many respectable individuals and communities, are desirous to procure an enquiry, in behalf of the public, concerning a matter of considerable importance to this part of the country.

Seven Members of one University, without any concurrence, bestir themselves to oppose it. They oppose, not the Union, concerning which, it is possible, that very candid and impartial persons may entertain some doubts, but they oppose simply all enquiry into the expediency of the Union, or the present state of these Universities.

In general, it will be allowed, that where enquiries of this nature are called for by any part of the public, the more they are resisted by individuals having interest, the more their necessity becomes evident.

## No. IX.

### ADDRESS to the Reverend the CLERGY, concerning the projected Plan of Union of the King's and Marischal Colleges.

THE opinion which the Clergy of the North of Scotland may entertain concerning the expediency of the proposed Union of the Colleges at Aberdeen, is entitled to much respect, and will have considerable weight with the public. By their learning and abilities, they are competent judges of the subject; their vicinity gives them opportunities of being informed of every local circumstance connected with the question; the interest of their families must induce them to consider it with attention; and a sense of the duty which they owe to the public will undoubtedly supersede every bias of private friendship to either party, and lead them to support, with becoming firmness, that measure which appears conducive to the public welfare.

The argument has already been pretty full discussed, and, as it often happens in the heat of dispute, too much place has been given, perhaps on both sides, to complaint or invective. The simple point in which the public is interested, and to which the sentiments and views of individuals should be directed, is, whether the proposed Union will promote the interests of good education, and prove useful to this part of the country.

The friends of the Union represent, that it will render the course of Education here more complete, and save many of our young men the expence of prosecuting it by a residence at other Universities; that it will extend the advantages of useful education to many who are otherwise unable to reach it, and who are either prevented from embracing employments that require it, or engage in them without being sufficiently qualified; and that it may induce many students, and even families, from remote parts of the country, to resort here for the benefit of education, and contribute thereby to the general advantage of the place.

The opponents neither deny, nor depreciate these advantages, if the proposed branches of education could be effectually established. They only suggest doubts and difficulties in regard to their establishment.

In opposition to these suggestions, the friends of the Union adduce the example of Glasgow, where classes of law and medicine are well attended; tho' the seat of that University be nearer to Edinburgh; tho' the expence of residence there be considerably greater than at this place, perhaps double; tho' it has not the advantage of an Infirmary for the students of medicine, nor so many courts of law, and does not breed an equal number of young men to that profession.

They adduce the approbation of the Physicians of this place, who have publicly declared their opinion, that a medical school would prove successful and highly useful. They submit to the opinion of the Advocates in regard to the utility and success of a law class, which they have every reason to believe will be favourable.

The opponents mention the bad success of some former attempts to teach medicine here. The Physicians reply, that the want of success was owing to some temporary circumstances, which do not take place now, nor are likely to occur again.



The friends of the Union further urge, that the importance of education is better understood now than formerly ; that parents exert themselves more to have their children properly qualified for their intended employments ; and the youth, as soon as their judgments open, are more solicitous to profit by every opportunity they enjoy. Schemes for the improvement of education have therefore a better chance of succeeding now, than at an earlier period.

It is said by the opponents of the Union, that the proposed establishments cannot at any rate take place for a long time. The friends of that scheme reply, that it may be effected in a great measure very soon. One of the Professors of Philosophy is willing to exchange his present office for a branch in the medical department ; the Physicians of the Infirmary have offered to give clinical lectures ; and Gentlemen well qualified are willing to undertake other departments, without any other emolument than the fees of their classes, till the salaries fall in by death ; and there is not wanting ground of expectation, that a botanic garden, and perhaps some other useful establishments, may be encouraged by public bounty.

In the best concerted, the most beneficial plans, certainty of success cannot be obtained previous to trial ; and if this consideration were sufficient to discourage all attempts and exertion, there is an insurmountable obstruction in the way of every improvement. Indeed all human affairs, public and private, upon that principle, must be at a stand.

An impartial person will balance the inconveniences which may possibly result from the execution of a plan, against the advantages it holds forth ; and if these be found to amount to little or nothing, he will not hesitate to patronize an attempt, from which very considerable benefit may be reasonably expected.

Although the opponents of the Union have shown sufficient anxiety to point out every objection, the whole of what they have advanced, with which the public is concerned, may be reduced to three heads.

First, it is said, that where classes are very numerous, it is not in the power of a Professor to examine each student so frequently ; and such as are inclined to idleness may become remiss in consequence thereof.

It is replied, that it is in the power of a diligent Professor to do ample justice to classes as numerous as are likely to be convened in consequence of the Union. At present a class of forty, is reckoned a throng one. A class of eighty may then be expected when the Colleges are united. It is well known that more numerous classes, amounting to 100 or 150 of the youngest boys, are taught in other Colleges with reputation and success. It may be said, that by means of the growing reputation of our College, classes considerably more numerous may be convened. But if this takes place, in consequence of the Union, it is the effect of such ample success as must be decisive in its favour.

As however this objection has weight with some persons who are disposed to form an impartial judgment, it may be proper to enter, with some minuteness, into the detail of teaching, in order to obviate it. In the more advanced parts of education the duty of a Professor is chiefly confined to lecturing, and to such the objection does not in any degree apply. In teaching languages, and the elementary parts of Philosophy, a considerable part of the Professor's time is spent in examination ; and some part of it, in dictating notes to the students. The examination serves two purposes. It is useful to the Professor himself, by enabling him to judge what progress the students are making, and whether the method which he has adopted be successful. If he finds that in some particulars he has not been understood, he will explain them more fully, or place them in a different light, and adapt his method of communicating to the capacities of his hearers.—It incites the diligence of the student, whose desire of recommending himself to his teacher, and emulation of excelling among his fellow students, will counteract that idleness, and fondness for amusement which often proves an impediment to his progress.

The first of these purposes is equally obtained whether the class be numerous or otherwise. As to the second, every student, even in a numerous class, is examined often enough to discover his abilities and progress, to his master and his fellow-students, and to allow emulation room to operate. But it may be said, that as each student must be examined less frequently, or for a shorter time at once, the incitement to diligence from examination becomes weaker. It is replied, that a diligent Professor will cheerfully bestow more time in examining, when the class is numerous, without deducting any from the other parts of his duty ; and the benefit he derives from such classes is an encouragement to do so. The examinations are so ordered, that no student knows at what hours he is to be examined ; at the same time all have equally their turns, tho' not in regular rotation : And a prudent Professor will vary his manner, at sometimes examining a few fully and minutely, at other times examining a larger number more briefly ; so that none can indulge themselves in idleness, in hopes of being passed by. In the natural philosophy and mathematical classes, there are some particulars which can only be exhibited or explained to a few at a time. These the Professors reserve for separate hours, and give every student his turn. The same method is adopted in the examination of papers.

The force of this objection applies chiefly to classes where languages are taught, and even in these, expedients



expedients will occur to every able teacher which will fully remove it. Where a language class is numerous, it may be an useful exercise for students of ordinary capacities to meet at a separate hour, and read over their lessons in presence of a tutor. The Professor will encourage such an exercise, and qualified tutors will be found about a College, among the students of theology or otherwise, ready to undertake it for a very moderate fee. This will succeed best where the classes are numerous, and is already not uncommon, several tutors being thus employed among different sets of students.

Various advantages may be expected in the branches of education at present taught, by convening numerous classes.

In a thin class there is often not above one or two students who discover any considerable genius.—With these there is little room for emulation to operate. In a numerous class a larger number of able and ingenious students may be always expected, from whose progress and mutual communications, considerable advantages will result. Instances will occur to many of the clergy, of men who have afterwards risen to a distinguished rank in science or literature, who have formed an early friendship at College in consequence of their kindred genius, and maintained it thro' life, and have assisted and animated each other, at every period, in prosecution of their favourite study.

The establishment of societies among the abler students, in different departments, where the various objects of science are discussed, has proved very useful in other universities. Nothing of this kind has been attempted here, except in the branch of Divinity; and for this obvious reason, that there was not a sufficient number of ingenious students to carry it on with spirit.

In the Greek Class, all the knowledge of that language which the most diligent Professor can communicate in a session of five months, is extremely superficial. The teaching of a second class, (in which besides going forward in the perusal of the classics, the principles of the language and antiquities of the Greek people are explained,) has been repeatedly tried by the present and former Professors, with little or no success. If the elementary Class were numerous, there would be little doubt of a higher one finding encouragement. The same observations may be applied to some other departments.

Lastly, upon this head, it must be acknowledged, without disparagement to the present or former Professors, that where the emoluments of an office are very small, men of the first abilities in their respective lines cannot always be expected to fill it. By the proposed Union, the numerous Classes which an active Professor might expect would considerably increase the present value of the office; but this increase would be always in proportion to his industry and merit.

Such are the considerations submitted to the Reverend Clergy upon the comparative advantages of large and small Classes. If the arguments in favour of large Classes be thought to preponderate, the Union would be beneficial with respect to the branches of education already taught, independent of the advantages resulting from the introduction of new ones.

The second objection to the Union is, that emulation between the Colleges is an incitement to diligence among the professors, and that their exertions may become feeble when this motive is removed.—The friends of the Union hope, that a better opinion is entertained of the present members of both Colleges, than to require the application of such a *stimulus*, and they can hardly conceive that their successors will ever be so insensible to every principle of honour and duty, as not to exert their utmost abilities in the discharge of their offices. In the other Colleges of Scotland, no motive of this sort takes place; and it will not be alledged that their industry or success have been inferior to ours: However, to give the objection full weight, let us suppose there is a set of men in office, who will not stir a step, except where interest impels them. The greater part of their income is to arise from the fees they receive from their students, and will be in proportion to their diligent discharge of their duty. It is well known that the students from whom they derive greatest benefit are the sons of Gentlemen of some rank and fortune, and these will be sent to other Universities, if the reputation of our own be not supported. Even among the lower ranks, a negligent master would have few students. In many branches private teachers will interfere, if the character of the public Professor be not supported. And it will hardly be imagined, that his salary, if no greater than at present, together with the fees he might receive from a few students, and those of the lower rank, who continued to attend the Class in order to pass thro' the *forms* of education, would furnish such an ample income in these expensive times, so as to leave no desire of additional emolument by a diligent discharge of duty.

The third objection is that, when the Colleges are united, fees may be raised, attendance upon a greater number of classes required, and other inconvenient or oppressive regulations introduced, which their rivalry at present prevents. The friends of the Union admit the propriety of effectual regulations to prevent these abuses; they entertain no doubt, that such regulations may be established, as shall be fully adequate to that purpose; they have proposed what occurs to them as proper; and they will most cheerfully acquiesce in any further regulations which the public shall judge expedient, and desire that those suggested by their opponents may be impartially considered, and, if proper, adopted.

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The improper rise of fees may be prevented by very easy and obvious remedies. As to attendance upon Classes, the present course of the College is completed in four years, and all the bursaries are limited to that term. In these no innovations can be made; and it is not proposed to compel any longer attendance, or require it in order to qualify for degrees. Indeed it would be obviously contrary to the interests of the Masters, as well as to the practice of all our other Universities to do so. The Bursars are the only students who are compelled to attend a certain course of classes, and it never was intended that they should be obliged to attend more, or pay higher fees than at present, unless by a proper management of funds their bursaries should be augmented. Other Students attend only such classes as they choose.

If the measure of a Visitation takes place, a system of regulations will be drawn up by the royal Visitors: but to prevent these from falling into disuse, and to authorize such alterations as upon experience are found requisite for rendering the course of education complete, the propriety of a standing power in the hands of ordinary Visitors is admitted. These Visitors ought to be persons interested in the success of education, acquainted with the state of the country, and always at hand. It has been suggested, that the Rev. Synod of Aberdeen is a very proper body with whom such power may be intrusted. If the Union takes effect, it will be submitted to the wisdom of the legislature to place this regulating power in the most proper hands, and a part at least will very probably be committed to the Clergy.

The medical and law schools have been pointed out as the most proper objects for present attention. It is not however proposed to confine the extension of our plan to these alone. Other branches of education may be introduced, such as experience may show to be wanted, and the funds of the College can afford. Several have been already suggested. And, as it is intended to have the system of education as effectual and complete as possible; if any errors be committed in the first plan, or any alterations appear necessary upon trial, it is proposed that power should be lodged in proper hands, to correct the one, and effectuate the other.

## No. X.

**REPLY to a Paper, intituled, " Memorial from the University and King's College of Aberdeen, concerning the Outlines of a Plan for Uniting the King's and Marischal Universities."**

THE Memorial contains a long complaint of disrespectful and improper conduct on the part of the friends of the Union, in the origin and progress of the business. For a reply to what they have adduced on this head, we refer to a *Defence of the Conduct of the Marischal College, in Relation to the present Scheme of Union, against the attack made on it by the Principal and six Professors of King's College; in a Letter to a Friend; by a Member of the Marischal College.* At present we are to consider what they have advanced in opposition to the scheme.\*

The Memorialists affirm, that the advantages set forth by the friends of the Union, are neither so essential, so certain, nor so unallayed, as to warrant that measure; and they also declare, that they could not think themselves at liberty to accede to it for the sake of *any* advantages.

In support of this last declaration, they represent that an Union, upon the intended plan, would run in absolute contradiction to their charters and statutes; that it would frustrate the intentions of their founder and donors, and infringe upon the rights and privileges of their University.

We cannot agree with them in thinking that the original institutions of founders are intitled to so scrupulous a regard as to admit of no alteration, for the sake of *any* advantages; and as they have expressed themselves in so general a manner, we are at liberty to state a case as strong as we please. We may suppose the course of education pointed out by the foundation of an University becomes intirely obsolete and useless, or positively hurtful—that the Professors are required to teach exclusively, the logic of the schools, judicial astrology, or even the Cartesian Philosophy. The case we state is no imaginary one. Systems of pretended science the most chimerical, contentions about unintelligible words, and a superstitious theology, which inculcated tenets subversive of the spirit of Christianity, and degrading to human nature, were long the only objects of study in the Universities, and some of them are not yet entirely exploded. It cannot be seriously affirmed, that such a course should be adhered to in compliance with the injunctions of foundations, or that funds, originally destined to these purposes, would be misapplied, when directed to carry on a liberal and useful system of education.

If it be admitted, that under certain circumstances, alterations of original institutions are justifiable and laudable; we may next enquire for proper principles to ascertain the cases in which alterations may be allowed, and to restrict them within due limits.

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\* As it is hoped this will be our last address to the public on the present subject, and may reach many persons who have not seen our former papers, several things contained in these are repeated, to render the present information complete.



When a founder distinctly declares the end he has in view, and afterwards points out the means by which that end may be accomplished; a strict regard is due to the former, and, in order to carry it more effectually into execution, a liberal construction should be applied to the latter.

There are cases in which even the ends of an institution may be intirely set aside; if they should be hurtful to sound religion or morality, or contrary to the public good, they ought to be entirely suppressed, or directed to other purposes. Of this nature were all the alterations in religious establishments at the Reformation, among which the Colleges erected before that time are comprehended.

Alterations of this sort, where the original end is abandoned, we think should never be admitted, except for the weightiest reasons. In regard to the means, we maintain, that a greater latitude is allowable; and such is the fluctuating course of human affairs, that unless proper alterations be applied from time to time, all antient establishments would become useless, and burdensome to society. We believe our opponents will find it difficult to produce an instance where the case has been otherwise.

When an institution is intended to *promote education*; to apply the funds to any purpose of a quite different nature, however useful to the public, is to abandon the *end* of the founder; to alter the regulations, the number and departments of the teachers, or the course of sciences taught, is only to change the *means*, and if the alterations be proper, the end is thereby more effectually promoted.

We know from History, as well as from the tenor of the foundations, that the founders of our Universities were men of liberal views, zealous for promoting piety and useful learning. Bishop Elphinston expresses his sentiments in these words: "*Nos vero cupientes numerum doctorum predictorum, magistrorum, regentium et scholarium in predicta Universitate augeri et ampliari—desiderantes pro modulo gratia nobis concessa, praefatorum doctorum, et studentium vivendi modos, eorundemque studia laudabilia et exercitia, augeri, et augmentari, ac prout divina nobis suppetit gratia, in melius commutari.*"—Like sentiments are expressed in every page of the foundation. In the preamble to the foundation of the Marischal College, the founder declares his intention as follows: "*Neque hujus nostri instituti alia ratio est quam est aliorum, quibus nihil antiquius, quam de ecclesia et republica quam optime mereri, tum majorum multorum qui idem assidue faciliunt exemplo et vestigiis insistentes, ECCLESIAE ITIDEM, PATRIAE, ET REIPUBLICAE ADJUMENTO ET ORNAMENTO ESSE POSSEMUS.*"

To attain these commendable ends, they appointed such means as were suited to the usages and state of learning of the times; and it would be a most hard and illiberal construction, injurious to the memory of our founders, as well as highly detrimental to the public good, to maintain that the original rules should be strictly adhered to, when experience and the enlarged state of human knowledge, required alterations and improvements.

The opinion of unalterable rules is now generally exploded; the propriety of reasonable innovations is agreeable to the common sense of mankind, and of such innovations in our Universities, introduced by competent authority, we have many instances.

In the royal commission, granted to Buchanan and others, for visiting and reforming the College of St. Andrews in 1579, we have the following words: "His Highness, with the advice of the Lords of Secret Council, ordainit and commandit the masters of the said University, to be at Edinburgh, at ane certain day, with the foundations of their Colleges, to be seen and considerit be any fix, five, or four, of sic able, reverent, and circumspect persons, as his Majesty, with advice of his said Council, had chosen, and committit to them full power to visit and consider the said foundations of thir Colleges, and to remove all superstition and papistry, to discharge unqualified persons, and plant worthy and qualified in their rooms, to redress the form of study or teaching be ma or fewer Professors, to join and to divide the faculties, and to annex every facultie to sic College as shall be found to be maist proper, &c. *The auld foundations and erections of the saids Colleges and haill University, or any thing contained therein, notwithstanding.*" The proceedings of these commissioners, which changed the whole form of the University, were afterwards ratified in parliament. Similar alterations were effected about the same time in the University of King's College at Aberdeen, and in that of Glasgow.

At a later period the Professorships of canon law, and, it is believed, of music, in the King's College were suppressed.

The Colleges at Aberdeen were actually united in one University, by a royal charter of Charles I. anno 1641, which was ratified in Parliament. But as all the acts of that and several other parliaments were rescinded at the restoration, this Union of consequence became ineffectual.

The late Union of the Colleges of St. Salvator and St. Leonard, in St. Andrews, anno 1747, is a precedent very apposite to the present case. The situation of these two Colleges was precisely similar to our own. Two sets of Professors were employed in teaching the same branches of science. A majority of both Colleges applied for an Union, chiefly with a view to augment their salaries, which before were very small, and though no new Professorships were established, that Union has proved highly beneficial



beneficial to the University. The number of students is now actually double of what it used to be previous to the Union. That measure was liable to every objection that can be urged against the present, and we hope it will appear that our proposals are accompanied with advantages to the public, that were wanting in the plan then adopted.

Repeated attempts have been made to obtain an Union of our Colleges, in 1747, 1754, and 1770. The expediency of the measure was the only point on these occasions to which attention was given. The objections so much insisted on at present, were not then even mentioned by the gentlemen who opposed the Union, nor by any others until now, though the subject has been repeatedly agitated among all ranks; and this sufficiently indicates what opinion the public have always entertained of the admissibility of innovation, when directed to useful purposes.

We admit, that institutions established by the founder, and long conducted with some utility to the public, ought not to be altered for trivial reasons, nor sported with according to the present and mutable ideas of one set of trustees. But we apprehend there is no risk of improper innovation in any matter of this kind. It is not in the power of the present members to accomplish the Union, or any other material change in the constitution of the University. Nothing less than an act of the legislature can do it, an authority that will never be interposed except for substantial reasons, ascertained by strict examination, and supported by the general sense of the country.

The Union of the Colleges of St. Andrews took place in consequence of a direct application to the legislature. A majority of each College favoured the plan. The same method might have been adopted in the present case, if a like concurrence had been obtained; but an application to parliament under a strong opposition from Seven Professors of one of the Colleges, would have been premature. The measure of petitioning for a Royal Visitation has been embraced, as the best expedient for inquiring impartially into the objections advanced, and the reasons and views of both parties, for adjusting a Plan of Union, (if that measure in general be approved,) and preparing the business for the final decision of Parliament.

We have already acknowledged that this application for a Visitation has not been a matter of choice. We wished to attain the end in view by more easy and expeditious means, but as our opponents refused all treaty, we were reduced to the alternative of embracing that expedient, or relinquishing altogether a plan that had been eagerly solicited and warmly patronized by the public for many years. Our opponents entertain a very imperfect and erroneous notion of the power of Visitors. Many instances might be adduced, and some have been already mentioned, where their authority was exerted to different purposes, and productive of more essential alterations, than those enumerated in their Memorial. It is unnecessary however to discuss the power of Visitors minutely on this occasion, nor does it belong to us to define the limits of Royal Prerogative in this or any other matter.

Some misapprehension may have taken place, as if it had been intended to carry the scheme of Union into execution, by the authority of Visitors alone. We never entertained any such design, nor do we know that their authority is competent for that purpose. If an appointment takes place in conformity to the tenor of our petition, their business will be only to enquire and report, and surely these functions are not beyond their power.

It is groundless therefore, as well as indecent, to suppose that they will, if appointed, proceed with *a high hand, by pure authority, and without law, to annul foundations and statutes, contrary to justice and public utility.* The apprehension the Memorialists entertain of a very considerable expence being brought upon a College by a Visitation, must be founded on a mistake of the same kind. The expence occasioned by the last Visitation in 1716, was very inconsiderable, and was owing to the business being then transacted at Edinburgh.

If, in compliance with our petition, Visitors are appointed, if they recommend an Union as beneficial, and adjust a plan for accomplishing it; that plan will be brought into Parliament, together with any objections our opponents choose to adduce; both will there receive a final discussion, and that which is best for the public will be established.

It does not admit of a doubt, that the legislature is invested with power to render the Union effectual; and we apprehend it is equally clear, that such a power may be exerted, if the utility of the measure be manifest. Nor can we imagine, that in these times, and in the present reign, it will not be exerted with moderation and wisdom, so as to promote the interests of learning, and education, without any injury to the rights of individuals, or to the useful privileges of any society or ancient institution.

If we consult experience, it will appear, that so far from improper or premature alterations being introduced into Universities, thro' a wanton spirit of innovation, the opposite extreme has universally prevailed. An attachment to old rules and customs is a principle of powerful and general influence. These rules and customs have the advantage of present and long possession, and are not easily overturned. Improvements of undoubted utility have often been long postponed, after the circumstances of the times required them, and in some instances altogether neglected. Every person acquainted with the constitution of any University abroad or at home, must be sensible of the truth of this remark; and many of ourselves remember,

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since almost a whole Session of the College was spent in teaching the obsolete logic of Aristotle ; and a considerable part of another, in discussing futile and absurd questions in Natural Philosophy.

We beg leave to quote the sentiments of a gentleman, whose enlarged understanding, and extensive information, in consequence of a long residence abroad, render his authority particularly respectable.

After describing the course of academical studies, consisting of logic, the cobweb science of ontology, pneumatology, a debased system of moral philosophy, and a short and superficial system of physics, he goes on in these words.

“ This course of Philosophy still continues to be taught in the greater part of the Universities of Europe. In some of the richest and best endowed Universities, the tutors content themselves with teaching a few unconnected shreds and parcels of this corrupted course ; and even these they commonly teach very negligently and superficially.

“ The improvements which in modern times have been made in the several branches of Philosophy, have not for the greater part been made in Universities, tho’ some no doubt have. The greater part of Universities have not even been very forward to adopt these improvements after they were made, and several of these learned societies have chosen to remain for a long time the sanctuaries, in which exploded systems and obsolete prejudices found shelter and protection, after they had been hunted out of every other corner of the world ”\*

We maintain, that establishments of a public nature, and for purposes of public utility, may be altered and improved, while the intention of the founders is observed, by authority of the legislature, in order to render them more extensively useful ; that such changes have been frequently made, tho’ seldom so soon, or so extensively as they ought ; and that the proposed Plan of Union does not overturn or pervert the foundation of the King’s College, or introduce such material innovations as have taken place in that and other Universities on former occasions, and for purposes of a more equivocal tendency.

It is not proposed to suppress any branch of education at present taught, to apply any part of the revenue to purposes foreign to the intention of the founders, to alienate the buildings, or permit any monuments of their generous munificence to fall into oblivion. If in consequence of a proper distribution of offices in the united University, a few of the present Professorships should become unnecessary, we hold it to be no violation of the foundation, to assign their revenues to a common stock, for public uses, in which the members on the foundation of the King’s College, would always have a proportional interest with the other.

Our opponents urge the obligation of their oaths to support their foundation. Reasons of this nature well deserve a serious attention ; on this occasion we apprehend they admit of a satisfactory answer from the considerations already adduced. We hold in detestation the practice of evading the obvious meaning of an oath by forced constructions on the words, but we think it no unwarrantable liberty, especially when an oath has been framed near three centuries ago, to apply a liberal construction to the words, for the purpose of forwarding the prosperity of the foundation. The constitution of the King’s College is not violated by the proposed Union, its privileges are not invaded, and if the present members believe that the University would flourish in consequence of an Union, we think they are bound by a clause of their oath “ *commodum et utilitatem ejusdem juxta posse suum procurare* ” to promote it.

There cannot be the slightest presumption, that the Union is contrary to the sentiments of the earlier founder, or that he would not, with pleasure, have embraced the plan of connecting his own establishment with another of a similar nature, in order to carry on the truly patriotic purposes for which both were founded, in a more effectual manner, than could be done in their separate state. It appears from the extract above quoted, that his particular object was the progressive improvement of a former establishment, to increase the numbers of Masters and students, and to give greater efficacy to their laudable studies and exercises. Boetius, who had been intrusted with the execution of his plan, informs us, that his purpose was to provide for the youth of the northern parts, the same opportunities of study, which had been at the same time provided in other Universities, for those of the south and western districts of Scotland. This is the very idea, which the friends of the Union have adopted in the present times, though announced to the public before we were aware of a coincidence, which we are happy to recognize. The liberality of the Prelate is by no means tainted with the appearance of vanity, or anxiety to secure the peculiar honours of a founder. His College is not to be called by his name, but by that of the Virgin Mary, and, tho’ he directs that two bursaries shall be given to young men of the name of Elphinston, he leaves that in a great measure to the discretion of the faculty, by adding, *Si commode haberi poterint*.

Are not the intentions of the founders of the United College at St Andrews better fulfilled by the maintaining of one flourishing University, than if both the separate Colleges had been suffered to fall into decay, for want of the support which followed from their Union ?

We hope, when the Memorialists allow an impartial weight to these considerations, and listen to the public opinion, by which any measure that tended towards perjury would be treated with the detestation it

\* Dr. Smith on the Wealth of Nations, Book v. Chap. 1.



it deserved, they will find themselves at freedom to concur in a measure so loudly demanded by the public.

After all, if a particular set of Trustees on a public establishment, should, from a mistaken sense of an oath, refuse to agree to a measure, in which the interest of the public was at stake, tho' it would be wrong to require their concurrence till their mistake was removed, it would not be wrong to carry the desired measure, by competent authority, into execution without it.

Whatever may be said of the intention of the later founder, by whom no oath is required, we reckon ourselves at perfect liberty to propose to the consideration of the legislature, a scheme, by which we think his main design will be better fulfilled, upon the principles already laid down.

WE are next to consider, whether the Union can take place without any detriment to the rights of the present Members of King's College, in point of income, patronage, or otherwise. To these, a strict regard is due, and it is our desire, that they may remain as much untouched as our own. Our opponents undoubtedly have a right to "all augmentations to which they would have been entitled if no Union had taken place." In the Outlines, this right is preserved to them by the fifth and sixth articles, which we think sufficiently perspicuous, and we believe have not been misunderstood by any other person. But to prevent all doubts and mistakes, we now explicitly declare, that we understand them in the same extent, as the words above quoted from their Memorial signify; and we do not expect or desire any share in the patronage of offices belonging to the King's College, during the lives of the present Members, or afterwards, farther than the legislature may think fit, for the harmony and prosperity of the United Society; and perhaps no such participation is necessary for that end. It is intended, that the expence of institutions, for the public purposes of the University, should be chiefly defrayed, from the salaries of the few offices that may be suppressed. It is by no means proposed, that any Professor should be deprived of his house, or manse, or obliged to quit his place of residence, whatever may be required of his successor. The present incumbent shall be at liberty to reside and teach where he pleases. And tho' all sinecure offices are meant to be abolished as soon as possible, yet those Professors, who have prescription in their favour, for holding their places as sinecures, are to be allowed to hold them as such for life, if they incline. What injury then, can the present incumbents sustain? They are to enjoy every augmentation of salary, that can arise from their present funds, and the management of these funds is left in their own hands; they have the prospect of increasing their emoluments by fuller classes, as the scheme takes effect, and these Professors, who do not receive fees from their students, have the expectation of an augmentation of salary from the general funds, an advantage which, in the present state of the Colleges, they could never look for. Our opponents are pleased to term this prospect of augmentation, a *mockery*. It would not be difficult, nor are we unwilling to secure it by a permanent regulation, in proportion to the state of the funds, and if any thing, not yet proposed, be judged necessary to secure the present incumbents in every right, we shall cheerfully admit it.

We utterly deny, that the Professors of either College are possessed of any right extending beyond their own lives, or invested with any trust, that can bar improvements upon their respective institutions. Our sentiments on this subject are well expressed, in a letter addressed to the public by a friend of the Union. "The Members of any University are only tenants for life, in endowments for public utility, which therefore are not their freehold. I hold the University itself to be the property of the public, and that they have a right to model it, so as to answer the main design of the institution, and general utility."

It is hinted, that other Patrons may be dissatisfied. This observation might have been spared, as it is only competent to be adduced by these Patrons; and one person to whom it applies, has declared so warmly in favour of an Union, that we expect much assistance from him in our endeavours to accomplish it. See Appendix, No. 5. Art. 7.

Our opponents insist much upon the superiority of their revenue and extent of their patronage, and are pleased to compare our attempt, to that of a person, who should insist with his richer neighbour, that their estates should be thrown into one, and equally divided between them. Admitting the fact, we cannot perceive the aptness of the comparison, or the force of the argument derived from it. The injury done to the richer neighbour, if the proposal be enforced, is obvious; but who is injured by carrying the Union into execution? Not the present Professors, whose rights and emoluments are preserved in as full a manner as they can desire; not their successors, whose situation will undoubtedly derive benefit from the Union. The sum of the salaries, in proportion to the number of masters, will be equal to what the present funds afford, and to all augmentations arising from their improvement. If an equalizing measure ever take place, it must be at a distant period, and the present incumbents, in the poorer College, can expect little benefit from it. But the fact of superiority, in the salaries of the King's College, is exaggerated in their Memorial, and a true abstract for the last five years will be found in the Appendix, No. 6. The funds of the Marischal College have improved more rapidly of late years, and it is believed, that by reason of the vicinity of their lands to the town, they are more susceptible of farther improvement. When these

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considerations are attended to, there is little ground to suspect, that the friends of the Union are impelled to prosecute that scheme, by coveting the more affluent revenues of the other College.

So far, in reply to the reasons adduced by our opponents, for refusing to agree to an Union, whatever advantages might attend it. We have shewn that it is not effectually barred by the foundation, that it does not infringe on the rights of the present incumbents or their successors, of patrons or any others. The advantages expected from an Union come next to be considered.

**T**HE great object of the Union is to render the course of academical education more compleat, by establishing Professorships in such branches of science, as are now wanting in both Colleges, are acknowledged to be of great utility, and have been long desired by the public.

There are at present in each College, a Principal, a Professor of Theology, of Oriental Languages, of the Greek Language, and three Professors of Philosophy; also, a Professor of Humanity in King's College, and a Professor of Mathematics in Marischal College. The other establishments are, a Professor of Civil Law in King's College, and Professors of Medicine in both; which last offices (with an exception after-mentioned) have been held as sinecures for many years.

By means of this arrangement, the same Elements of Philosophy, and of the Greek Language, are taught at each College, and often to very thin Classes, by two separate sets of Professors. It is therefore proposed, that one set of these Professorships, together with one of the offices of Principal, should be suppressed, and in their place, effective Schools of Law, and the different branches of Medicine, established. Other Classes may be added, such as shall appear to be most useful, and as many as the funds of the College are able to afford. Of this number might be reckoned a Professorship of Astronomy, for which the excellent apparatus, already in our possession, affords particular encouragement.

To evince the utility of this measure, it might be sufficient to mention, that for want of such establishments at home, young men from all parts of the North of Scotland, who are intended for any of the liberal professions, are at present under the necessity of going to Edinburgh, or some other distant University, where they are far removed from the inspection of their parents and friends, where the expence of residence is greatly higher,† and where, being under no controul, they have stronger temptations to idleness and dissipation. Such indeed is the expence incurred at those Universities, that very few of the lower rank, in this, not the most opulent part of the kingdom, are able to afford it; and the consequence has been, that many are thereby prevented from embracing employments for which their genius eminently qualified them, while others, more adventurous, have engaged in business under all the disadvantages of a very slender and unsuitable education. Instances have frequently occurred, of young men from this place, settling as Surgeons in America and the West Indies, or being appointed mates in the army or navy, without having attended any Anatomical or other Medical Class whatever, and with no other instruction, than what could be gleaned from observing a little hospital practice, and from reading a few books, during a short apprenticeship.

It may be farther observed, that upon considering the comparative utility of the branches of education already taught, and of those intended to be introduced, the latter seem even entitled to a more particular regard. Most of the Classes at present are attended chiefly by very young boys, who are often sent to College before their genius for learning can well be known, and almost always before their future employment in life has been determined. In consequence of this practice, any academical education must prove absolutely useless to a very great proportion of them, and in the opinion of some, perhaps, even hurtful. Many fail, thro' defect of capacity or diligence, and others, who had, when at College, made considerable progress in their studies, soon forget almost all they had learnt, in the prosecution of employments of a very different kind. This is an error, which no abilities in the master, no wisdom in the rules, and no attention to discipline, can correct; but it is only in the earlier and initiatory branches of education that it prevails. Students of Medicine, and of Law, have already resolved to follow these professions; their capacity for them is in some measure known; their judgment is more mature; and the early prospect they entertain of applying any knowledge they may acquire to their own advantage, is a very powerful incitement to diligence. For these reasons, it will always be found, that students make a far greater proficiency in the more advanced, than in the earlier stages of their education. Is it then for the public advantage, that our academical course should be confined to those departments, from which many students can derive little benefit? Is it not expedient that it should also be extended to others, which are found to be at least equally useful, and perhaps attended with a greater certainty of success?

Nor is the enlarging and improving our system of education, tho' of the first consequence, the only advantage that would result from such an Union. Many others might be suggested, particularly the fav-  
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† The expence of board and lodging for Students at our Colleges seldom exceeds 20l. or 25l. whereas at Edinburgh and Glasgow, they often pay from 40l. to 100l. a-year.



ing of a very considerable sum to this country, which is annually expended elsewhere, for the support and education of our youth. Much of the money which is now sent to other places, would circulate at home among ourselves. It might be expected, that a greater number of foreign students, and even of families from distant parts of the country, would resort here on account of the cheapness of living, and thereby promote, together with their own, the general advantage of the place. Many would also be induced to remain longer at College, from the increased number of Classes, and not rest satisfied with the superficial and merely elementary education, which they receive during the first years of their attendance.

The annual sum expended in Edinburgh by the students of that University, according to the most moderate computation, amounts to 60,000 l. Of how much service to this place, the circulation of a much smaller sum would prove, especially from the manner in which it would be chiefly employed, is a point that requires no illustration.

Neither, in enumerating the advantages of this scheme, ought we to omit mentioning the opportunity of improvement, which gentlemen not attached to any particular profession, would enjoy from an attendance on those classes that are proposed to be established. Many such are observed to frequent repeated courses of Lectures in other Universities, being sensible that the pursuits of science are peculiarly useful and ornamental to them, and can alone bestow that enlarged understanding, and cultivated taste, which of all others is perhaps their most honourable distinction. Is it not likewise to be wished that the young men who are bred to the Church in this country, should have the advantage of improving their minds, by attending such classes of Medicine or Law, as they may think proper? This opportunity is often embraced by the more ingenious students of Divinity at Edinburgh and Glasgow, whereas here they cannot enjoy it; and many who would profit by such liberal education, and are desirous of it, cannot afford the expence of resorting to these Universities. A few have possessed such advantages, and know their value, while many who are already advanced in life, find reason to regret, that some part of their youth could not have been employed in cultivating a general acquaintance with these sciences.

It may perhaps also deserve notice, that from uniting the libraries, museums, and apparatus for teaching Natural Philosophy and Mathematics, considerable advantages might be derived both to the students and the University. At present, the necessary books and instruments (if purchased at all) must be separately purchased by each College, which is a very useless expenditure of public money. Should the Union take effect, a considerable sum might be obtained, by disposing of those books and instruments of which there are duplicates, and applied to the purchasing of others, equally necessary, that may be wanting in both.

BUT we need not insist much on this part of the subject, as our opponents neither deny nor depreciate the advantages, that would result from the effectual establishment of the branches of education proposed to be introduced—They only urge the improbability of their success.

In answer to suggestions of this sort, we adduce the example of Glasgow, where Schools of Law and Medicine have been long successfully taught, notwithstanding the vicinity of that place to Edinburgh,\* and the expence of living being much greater than here—Neither does it possess the advantage of an Infirmary for the students of Medicine, nor so many courts for those studying Law. It does not educate a greater number of young men to the former of these professions, nor so many to the latter.

But in addition to the argument drawn from the example of Glasgow, we are now authorised to offer another, which, we think, alone ought to be decisive on this head. The Physicians and Lawyers of this place may be esteemed the best judges of the probable success of Classes, in their respective departments. Both these Societies having taken the matter into consideration, have favoured us with their public, unanimous, and decided opinion, that such Classes would be highly beneficial to the country, and, if properly established, would be attended with success. See Appendix, No. 3, 4.

Our opponents mention the failure of a former attempt to teach Medicine here by the late Doctors Gregory and Skene—The Physicians inform us, that they remember well that their ill success was owing to some temporary circumstances, which are now entirely removed—Our opponents therefore cannot justly allege, that the want of success was then owing to the irregular attendance of the gentlemen who opened those Classes, in consequence of extensive private practice; (Memorial, p. 12.) nor is there reason to imagine, that this circumstance would have the effect to obstruct such a scheme in the north of Scotland, more than anywhere else. Besides, it was not then conducted upon a plan sufficiently extensive, only two classes being opened, without any proper support from the Universities, or the public, and without any certain expectation of their continuance. This could offer no powerful inducement for students to attend them; for it is only from a systematic and permanent establishment of such classes, in the united University, that we can hope for success—Nor can this great object be attained in any other way than

\* The University of Glasgow is only forty four miles distant from Edinburgh, and that of St. Andrews still nearer. This place is above one hundred miles from Edinburgh, and eighty from St. Andrews: and more than one half of Scotland is nearer in local situation to Aberdeen than to any other University. See Appendix, No. 5. Art. 9.



than by an Union.—The other projects held forth to the public by our opponents, particularly the superadding Medical Classes to the present establishments, or converting ours entirely into a College for Medicine, were surely not intended for serious consideration (Memorial p. 13) and we shall therefore take no further notice of them. We shall only observe, that at present the students of each College are accustomed to look on themselves as totally unconnected with one another, and very little intercourse, of an amicable kind, has ever been known to subsist between them. A natural attachment to that College where they have first entered, joined to a certain point of honour, generally prevents their leaving it, or their attending at the same time any new classes that are opened in the other College.—Such conduct would be accounted academical desertion, and has not very frequently been known to take place.

Another unfavourable circumstance mentioned by the gentlemen in opposition, (Memorial p. 12.) is an attempt to introduce a Class of Botany some years since, which also proved unsuccessful. To this it may be sufficient to answer, that independently of the argument above stated against the success of single Classes, no course of this kind can well be taught or attended, where a proper Botanic Garden is wanting, which was then and still is the case here.—It may however be remarked, that a Lectureship in Chemistry lately established in the Marischal College, has had better success; and that a popular course of Natural Philosophy also taught there, calculated chiefly for the instruction of artists, and those who have not had a liberal education, has been likewise warmly patronized by the public.

In regard to Law Classes, besides the number of young men educated to that profession, which is very considerable, attendance might also be expected, from gentlemen, whose situation in life renders an acquaintance with this subject, becoming, and even necessary. The part they have often to act as arbiters of differences, as justices of the peace, commissioners of supply, and on other public occasions, and even in the management of their private affairs, strongly evinces the propriety of their applying to this study. Our opponents, from the obvious example of Glasgow, are forced to admit the probability of such an establishment being successful, but they very properly add (Memorial p. 12.) that this will only be the case, where the Law Professor exerts himself as he ought. To stimulate such exertions in the best manner possible, will no doubt be properly attended to, if the desired Union take effect; for we entertain no hope of any Class succeeding here or elsewhere, if the Professor is negligent in the discharge of his duty.

We farther urge, that the importance of education is better understood now than formerly, that parents are more eager to have their children properly qualified for such employments as they may be inclined to follow, and that our young men are more solicitous to improve by every opportunity they enjoy. This is the natural effect of the gradual extension and increase of science, which has nowhere been more conspicuous of late, than in this very country, where education always has been, and we hope will ever be, within the reach of the poorest of our northern youth. That it should be so, we account one special object of our respective foundations, and though perhaps not bound by express injunctions to that purpose, we understand the virtual obligation to be very strong.

IT is likewise argued, that the proposed establishments cannot possibly take place for a long time. We on the contrary are of opinion, that they may in a great measure be carried into execution very soon; for we entertain little doubt, but persons properly qualified, may just now be found, willing to undertake most of the necessary departments, without any other emolument than the fees of the classes, till they can be provided with suitable salaries. Among others, one of the Professors of Marischal College, a physician of standing and character, has offered to exchange his present office, for a branch in the medical department. The physicians of the Infirmary have already advertised a course of Clinical Lectures; a Class of Chemistry has been carried on for some years; an Anatomical Theatre may likewise be provided; and, if our endeavours shall be found to merit further assistance, we have the strongest assurances, that the same public and private bounty, which has enriched our library and museum, furnished our observatory with magnificent instruments, and provided a very valuable apparatus for teaching Mathematics and Natural Philosophy, will not be wanting to assist us in the establishment of a Botanical Garden. By these means, and the exertions of the present Professors of Medicine, or others in their stead, the institution of a Medical School may be immediately, vigorously, and, we trust, successfully undertaken. The Law School admits of no difficulty.

But our opponents, before they can agree to an Union, require a *certainty* of its answering the purposes for which it is intended. This we acknowledge we cannot give, nor from the nature of all human undertakings, is it to be expected in similar attempts. Were this to be required, no alteration could ever be made, in any establishment already formed; from the dread of merely possible contingencies, every generous exertion would be checked, and the natural progress of an enlightened age towards farther improvement, would be totally suspended. That reasoning is therefore manifestly false, that leads to such absurd consequences. In favour of the success of our plan, we can offer every proof that is usually expected in like cases; and we hope enough has already been said to convince every unprejudiced person, that there is such a fair probability of its being attended with the advantages we hold forth



forth, as sufficiently authorises the experiment. The peculiar circumstances of our situation, and the spirit of the times, are entirely in its favour; nor do the obstacles represented by the Memorialists, appear to us, or to others, either insurmountable, or even formidable.

We are farther confirmed in our hopes, by the favourable reception our plan has received from the public. By persons of the most distinguished rank in the north of Scotland, it has been honoured with an almost unanimous approbation; nor have the arguments adduced by our opponents, in the smallest degree changed those favourable sentiments; for various similar communications have been received, since their Memorial was in circulation. Nor can we consider the opinion of persons of their extensive information, in the light represented in the Memorial. (Mem. p. 12.) On the contrary, we think them entitled to the highest degree of respect, especially in a matter which does not relate to the detail of education, but to the general constitution of our Universities. Their interest is very materially concerned in the success of such institutions, and in the present question, high rank cannot possibly produce any prejudice or bias to either side. The Senators of the College of Justice will surely be acknowledged most unexceptionable judges, in a matter of this kind; and those members of that respectable body, who are connected with this part of the country, who have received their education at these Universities, and are well acquainted with the state of both, particularly King's College (having acted as counsel and arbitrators in the disputes of that society) have given their explicit approbation of the proposed Union.

At the same time we acknowledge, that if our scheme were countenanced by persons of high rank alone, our opponents would have a specious argument to alledge against it; but this is far from being the case. Though it would have been impracticable to have collected the sentiments of so many individuals, we have sufficient authority to affirm, that it is generally and warmly patronized by the public of all ranks, by the private gentry, the clergy, the merchants, and the richer farmers, whom the Memorialists justly represent, as "not incompetent judges of its utility," but who, they add, "have on all occasions very generally disapproved of an Union, as to them *disadvantageous*." (Memorial, p. 12.) To this we need scarcely answer, because we believe these classes of people are abundantly sensible of it, that they of all others are the persons to whom the Union we propose, would prove *most highly beneficial*. Such of them as have felt the expence of a medical or other education for their children, at distant places, will be at no loss to perceive the advantages attending it, while they have to regret that it has been so late in being accomplished. These at least are, and have uniformly been, the unanimous sentiments of the Magistrates and Council, of the Incorporated Trades, and of other public Societies of this city; and these are also the sentiments of every other Burgh and Corporation which has yet declared an opinion; particularly of Inverness, the capital of the Highlands, whose early approbation, though at such a distance, is highly flattering, and affords us the greatest encouragement to hope for success. (Appendix, No. 1, 2, &c.) Nor may it be deemed improper to remark, that even in the Society of King's College, who alone oppose the Union, besides the zealous concurrence of two Members, and the avowed approbation of a third very respectable Professor, we have permission to say, that the Rector openly favours the measure, and that *all* his assessors are not of a contrary opinion. These gentlemen having been elected by their society, since the present contest was begun, and where the opponents of our measures had a decided majority, we think nothing can more strongly indicate the general sense of the country, than their being nominated under these circumstances, and maintaining this opinion. Nor can it be imagined, which we are sorry to find insinuated, that any of the approbations with which we have been honoured, either by public societies or individuals, could have been obtained by surprise, or were not the result of mature consideration of the subject. A matter that had been agitated almost without intermission for above forty years, must have so frequently been the subject of conversation, and engaged the attention of every person interested in it, that their opinion must have been already formed, and any attempt to take them by surprise, impracticable. But besides the additional testimonies of approbation, and the increasing ardour of the public to see the Union accomplished, ever since the publication of so many papers by the other party, we flatter ourselves, that the subjoined extracts will fully vindicate us from this accusation. (Appendix, No. 5.)

Since the first part of this paper was sent to the press, we have been not a little surprised to find it suggested by our opponents, in the Aberdeen Journal of October 9th. that "they cannot doubt, the Synod of Aberdeen will see reason to discountenance any application made without their knowledge, for fixing a plan of Union," &c. being Patrons of the Professorship of Divinity in King's College. To this we need not reply, that there had been no opportunity of laying the plan before them since it was published, but that it had been circulated thro' the different Presbyteries for their consideration, together with a more particular address to the Clergy on the same subject, and we have the greatest reason to believe that they are inclined to favour it. For we cannot conceive that the sentiments of the Clergy will be biased by frivolous considerations, against a scheme manifestly tending to promote learning in general, and particularly such new branches of it, as many of them may find both necessary and agreeable to cultivate. It certainly can never injure their rights as Patrons and Visitors of that office. We wish by it,



it, on the contrary, to extend their power of Visitation further, and we hold out besides, no visionary prospect of increasing the value of their Professorship.

IT only now remains, to consider some other objections to our scheme, which we hope it will not be found difficult to remove,

It is said (Memorial p. 12.) that in numerous Classes it must be impossible for the master, to bestow the same attention upon the students, or to examine them so frequently and minutely. We reply, that it is in the power of any diligent Professor, to do ample justice to Classes, at least as numerous, as may probably be convened in consequence of the Union. At present, a Class of forty being reckoned a very full one, perhaps a Class of eighty may be expected, when the Colleges are united. Now it is well known, that in some of our other Universities, and even Grammar Schools, particularly at Edinburgh, a far great number of the youngest boys, amounting to 100 or 150, are taught in one Class; with reputation and success. It may indeed happen, that in consequence of the increased reputation of the United University, the number of students shall become considerably greater than presently attends both; but this, if it should be the case, would be the effect of such compleat success, as must be decisive in our favour. We may likewise observe farther, that in any Class, not exceeding the number we have mentioned, the examinations are sufficiently frequent, to discover the progress of each student to his master and fellow students, to allow room for emulation among them, and to enable the teacher to judge of the success of the method he has adopted, which are the most essential purposes of examination. These are besides so ordered, that no student previously knows, at what hours he may be called on, yet all have equally their turns, tho' not in regular rotation. Sometimes a few are examined fully and minutely, at other times a larger number more briefly, so that none can have encouragement to idleness, from the hope of being overlooked. A diligent Professor will likewise cheerfully bestow more time in examining, where the Class is numerous, without deducting any from the other parts of his duty; and the benefit that he derives from such Classes, will afford an additional inducement for him to do so.

Having thus fairly stated, and it is hoped fully answered, the chief objections to numerous Classes, it may now be proper to mention some of the advantages attending them. In a thin Class, there are often not more than two or three students, who discover any considerable genius, so that here there is little room for emulation to operate. In a numerous Class, a greater proportion of able and ingenious students may be expected, from whose diligence, proficiency, and mutual communications, considerable benefit may result to the whole. It may also deserve notice in this place, that the establishing of societies among the elder students, where the various objects of their studies are freely discussed, has proved highly useful in other Universities, and some of them have acquired a considerable degree of reputation. Nothing of this kind has been attempted here, unless in the branch of Divinity, and for these obvious reasons, that the students have no inducement to remain long enough at the University to render it an object worthy of attention, nor is there a sufficient number properly qualified, for conducting such societies in a manner that would answer the end. We may here also remark, that in the department of Greek Literature, the teaching of a higher Class, in which the students might make a farther progress in the study of the language, classics, and antiquities of that people, has been repeatedly attempted here, by the present and former Professors, with little or no success. If the elementary Class were numerous, there could be no doubt of a higher one finding the same encouragement as in other Universities; and this observation may apply to some other departments. On this subject, another argument has been furnished to us by our opponents, who with propriety observe (Mem. p. 14.) that persons suitably qualified, will not always be found to accept of an office in our Colleges, unless the emoluments are sufficient to afford them a decent living. Now, by the numerous Classes which an active Professor might expect to convene, in consequence of an Union, the present value of the office would receive a considerable augmentation; but as this would always bear proportion to his industry and merit, we think it might be attended with more beneficial consequences, both to the public, and to the society, than any augmentation of salaries. Such an increase of emolument, we consider as a just and solid compensation to any Professor, whose exertions shall be found to deserve it: nor do we imagine that we "mock them" either by this suggestion, or by the proposal of augmenting the salaries of the few Professors who can derive no advantage from their Classes, as shall be afterwards more particularly shewn. To conclude this subject, if upon a comparison of the arguments in favour of large and small Classes, the former be thought to preponderate, it follows, that the proposed Union would be beneficial to the system of education already established, independently of the advantages to be expected from the introduction of new Classes: and it deserves notice, that if any thing remains in the opposite scale, it only regards a description of students, who, after all the exertions of the ablest teachers, often derive no lasting or important advantage from their instructions.

But the Memorialists farther object (Memorial p. 12.) that emulation among the masters, in the present separate state of the Colleges, is a useful stimulus to promote their diligence. Were this the case,



our seminaries, which alone possess such a singular advantage, ought to surpass in number of students and in reputation, all the other Universities in Scotland—Yet, if the fact be otherwise, notwithstanding this rivalry, and the other peculiar circumstances of cheapness of living, and a far more extensive country around us, may there not appear some reason for drawing a conclusion directly contrary; for maintaining that our rivalry has done us more harm than service, and that it is only by an Union that we can ever reap the full benefit of the local advantages we enjoy? We trust however that no incitement of this kind is necessary to call forth the exertions of the present Professors, and we can as little imagine, that our successors will at any time be so insensible to every principle of honour and duty, and to every regard for the sciences which they profess to love, and to the desire natural to mankind of imparting their knowledge to others, as either to require or to feel the influence of a principle so ignoble, and so unbecoming their character as scholars or as gentlemen. But let us suppose the worst. If after an Union has taken place, this University should at any future time be disgraced by a set of Professors, upon whom no motives but of the most sordid kind could operate, the greater part of their income being to arise from the fees of their students, will always be in proportion to their reputation and diligence. Now it is well known, that the students from whom they derive the greatest benefit, are sons of gentlemen of some rank and fortune. These will be sent to other Universities, if the character of our own be not supported; and even among the lower ranks, a negligent master will find few students: in many branches, private teachers would interfere. It cannot then be supposed, that his salary, unless highly augmented (a measure we cannot approve) together with the fees he might receive from a few students and those of the lower rank, who continued to attend his Class, merely in order to pass thro' the forms of education, would provide him in such an ample revenue, as to leave no desire of increasing it, by a diligent discharge of his duty.

Again, it is objected by writers against the Union, that if the Colleges were united, fees may be raised, (Memorial, p. 14.) longer sessions introduced, attendance upon a greater number of Classes required, and other inconvenient or oppressive regulations established, which their rivalry at present prevents.—Now these are all merely possible events, nor is there any greater danger of improper rules being introduced into the constitution of the united College, than there are among us at present, or in any of the other Scots Universities, which are at least as flourishing as ours. But were we inclined to make all these innovations, which we never dreamed of, we could do nothing more than propose them for the consideration of the legislature, which alone is competent to authorise them; and where every argument on the opposite side, would be as readily received, and as impartially examined, as those offered by us. We admit however in the fullest manner, the propriety of effectual regulations to prevent all these abuses, and entertain no doubt that such may be established, as shall be fully adequate to that purpose. We shall briefly propose what has occurred to us on this subject, and will most cheerfully acquiesce in any farther regulations, which the public shall judge expedient.

To limit the fees unalterably to their present, or even to a higher rate, would be manifestly absurd, from the obvious consideration of the difference of the value of money; but they may be regulated by a standard, which will keep pace with that value, and the increasing opulence of the country. On this occasion however, we believe none of us entertain any idea of the necessity of raising them, yet that the objection may be effectually obviated, we have declared our willingness, to leave the regulation of fees to the sole and perpetual determination of the Synod of Aberdeen, a body of men, with whom we are confident such a power may be safely intrusted, both by the public and by us. We shall only beg leave to add, that the danger of fees being raised, appears thus to be much greater in the present separate state of the Colleges, who are under no such controul, than in the event of their being united; for however they may differ as to other points, there is no improbability of their being *again* unanimous, in a matter so much for their common advantage.

In regard to an attendance upon a greater number of Classes being required, there is fully as little reason for suggesting or entertaining any apprehensions. No attendance upon any fixed course of Classes, can well be exacted, unless from bursars; and as the bursaries are limited by their foundations, to continue only four years, no longer attendance can be required from those who hold them. As to prolonging the duration of the session of College, to the term prescribed in the other Universities, we are equally willing to submit the propriety of such a measure to the determination of the proper judges, and to their decision we shall in this, as in other matters, cheerfully accede. For if the Union take place, a system of regulations will be enacted by the authority of the legislature, and previously thereto, every person or party interested in the measure, will have an opportunity of suggesting, what they may think most conducive to the public good. And in order to prevent such regulations from falling into disuse, and to authorise such alterations, as experience may shew to be requisite for promoting the prosperity of the University, it may be necessary, that a standing power be lodged in the hands of such ordinary Visitors, as the wisdom of the legislature shall approve. These will most naturally be persons of different ranks, and holding



ing public offices in the community, and among such, we are persuaded that the just claim of the Clergy will not be overlooked.

Some other objections urged by the Memorialists might have been spared upon this occasion, as they regard the detail, and not the expediency of the measure. The proper time for discussing these will be, when matters are ripe for adjusting the particular regulations. The plan published by us, is declared merely an Outline, to be afterwards filled up, corrected, and improved; and whatever parts of it shall be deemed improper, may be altered, or set aside altogether. It is wrong in our opponents to censure it as not being sufficiently explicit, while at the same time they take the liberty to supply what is wanting with their own conjectures, adapting these conjectures to their own purposes, and reasoning from them, as if they were really our sentiments and intentions. We, on the contrary, thought it more respectful to the public, as well as to them, to express our views in a general manner, and to request their assistance in rendering the plan complete. It was for this reason, that we did not presume to specify the particular professions to be retained, or added, but contented ourselves with naming only the number that appeared to us sufficient. It was for this reason also, that we forbore to mention more particularly, the distribution of the several Classes, than merely to say, that one half of them should be taught in each College, and that the distribution should be regulated by convenience, and the interests of good education. Yet this they explain in such a manner, as to render it a considerable and popular objection to the whole scheme; and taking it for granted, that the distribution would be the same, as was agreed to by them in the year 1770, they observe (Memorial p. 13.) "that by this scheme, of all the members founded by Bishop Elphinston, only the Principal, who teaches no class, and the Professor of Laws, who has never been able to find a Class, are left in his College." They afterwards express their "surprise, that they did not then perceive, that this was truly to annihilate that College, to leave it but in name, and for the sake of that name to support expensive buildings, &c." To this it has been already answered, that no Professor resident in that College, should be desired to remove elsewhere, or undertake any duty he did not at present perform, but during his own pleasure; and we are of opinion, that by *one half* of the Classes being taught in Bishop Elphinston's College, and by its being made the seat of the United University, where all public ceremonies were to be performed, the Principal and *one half* of the Professors might be expected to reside there (being a greater number than at present,) and that this College would thereby, both *in name* and in reality, derive additional dignity from such a distribution. — Nor can it be imagined, that in the seat of the University, where there would be so many *resident and teaching* Professors, the number of students residing there also, would not be very considerable. We think it highly probable, that they would be at least as numerous, or perhaps more so, than have been known there for many years; so that even the interest of the village of Old Aberdeen (if this deserves notice in a matter of such general import) would not suffer, but perhaps be benefited by the Union. In regard to the support of the buildings, we entertain not the smallest doubt, that from the funds of the Colleges being united, and kept under proper management, both fabrics might be easily preserved, at least in as complete repair, as they are in their present separate state. Nor can we consider it as any great inconvenience, if some of the Professors should have occasion to walk a mile once a week, to attend a meeting of the faculty, for regulating the discipline, or other affairs of the society.

The Memorialists also object to our proposal of establishing a sinking fund, for the public uses of the University, which we are the more surprised at, as we find it otherwise very generally approved. And against the future misapplication of this, or any of our other funds, we trust that the wisdom of the legislature will make effectual provisions. They say, (Memorial, p. 14.) that upon setting apart 100l. per annum for this purpose, there would remain from the salaries of the three offices to be suppressed, for any augmentations or other purposes, "nearly *nothing*." We think otherwise, for by adding together the value of three of the ordinary salaries in either College, the amount will be at least 200l. from which, if 100l. be set apart for an accumulating fund, the remainder is surely *more* than they represent it; and if the Principal's salary be one of the number suppressed, the amount of these will be considerably higher than the sum above-mentioned. (Appendix, No. 6) If however it should be found, that so large a sum could not be conveniently appropriated to this useful establishment, without rendering our present exertions languid, it might be restricted to what our funds could easily allow, which, if they are at present insufficient for the ends proposed, will not probably be less so, at the end of this dispute.

Such are the principal differences between us on this subject, which as we early entertained little hope of adjusting among ourselves, without departing entirely from our present plan, we have uniformly expressed our willingness to submit to the determination of others; and also our desire to meet the views of our opponents, when they should be pleased to communicate them, that we might cordially unite in promoting a measure, that we judged equally advantageous to both Societies.

For this purpose, every endeavour has been used on our part, to avoid exposing our disputes to the public view, or bringing them before the tribunal of Royal Visitors. We are sorry to say, that our opponents have persisted in rejecting all our offers of accommodation. One in particular was made to them, which



which we flattered ourselves they would have thought worthy of their attention. When our petition was ready for being transmitted to London, it was shown to some of their number, (whose good offices we hoped for as mediators between us) together with the subscriptions of the nobility and gentry, and several of their letters of approbation: and at the same time, an offer was made of referring, not the expediency of an Union, (which the Memorialists do not deny) but the terms of it, to the arbitration of the Rectors of the two Colleges, as persons not only most unexceptionable in every respect, but the best qualified and the best entitled to determine them. In the Appendix, No. 7, will be seen the nature of our offer, together with their answer, upon which we shall not trouble the public with any observations.

We have now pretty fully stated the principal arguments in favour of the proposed Union, together with some of the advantages, that would naturally arise from it to the public, and to the state of learning in this country. We have also endeavoured, and we hope successfully, to obviate every objection that has been adduced on the other side, altho' many of them were entirely new and unexpected, having never occurred to our opponents, or to us, in 1754, in 1770, or until the present occasion. If therefore, in answering these, we have been led into discussions, that may be judged of little importance, or foreign to the subject, and if we have thereby exceeded the limits we at first proposed, we think we have some claim to the indulgence of the public. To the opinion which they shall form of the utility of the scheme, or of the means by which it may be best promoted, we most cheerfully submit; and upon their opinion, we believe the event of the present contest will ultimately depend. Should this attempt however prove unsuccessful, which we trust it will not, we can neither entertain any hope or desire of seeing it revived in our times. Whatever may be the case, we are fully persuaded, that every argument in opposition to the public good, will be considered by the public, as comparatively frivolous, and that no opposition to measures which the country in general approves, can either be lasting or successful.

## A P P E N D I X.

### No. 1. *Act of Council of Aberdeen, respecting the Union of the Colleges, August 2, 1786.*

**A**T Aberdeen, the second day of August, seventeen hundred and eighty six, in presence of the Council. The said day, the Council having resumed the consideration of a letter, of date the fifteenth of July last, addressed to Provost Cruden, by the Rev. Dr George Campbell, Principal of the Marischal College, in name of that University, accompanying a printed Memorial and general Heads of a Plan, for an Union of the King's and Marischal Colleges of Aberdeen, together with a draught of a petition, proposed to be presented to the King, for a Royal Visitation of both Universities, for the purpose of examining into the advantages to be expected from their being united, and for adjusting a plan, in conformity to which, the Union long desired by the friends of literature and science in this country, may at length be happily accomplished. All which having been read over to, and maturely deliberated upon by the Council, they are unanimously of opinion, that an Union of the said King's and Marischal Colleges (under a proper plan and suitable regulations) will tend greatly to the advancement of literature and science in the Northern parts of Scotland, and in this city in particular, and that it may also be attended with many other beneficial consequences.

WHEREFORE, the Council DID, and DO hereby unanimously APPROVE, in general, of the measure now proposed, of such an Union being effected, either by petitioning his Majesty for a Royal Visitation of both the said Colleges, or by such other means, as shall appear most conducive for obtaining the object desired. And the Council DID, and DO hereby RECOMMEND to the Provost, to transmit an extract or certified copy of this present act, to the Right Honourable Lord Sydney, Secretary of State for the Northern Department, and in the Council's name, to request his Lordship's countenance and support, in procuring a favourable answer upon the said petition, to be presented to his Majesty. Extracted, upon this and the preceding page, from the Council Register of the City of Aberdeen, by

(Signed) ALEX. CARNEGIE.

*A similar Approbation has been received from the Incorporated Trades of Aberdeen.*

### No. 2. *Act of Council of the Magistrates and Town Council of the Burgh of Inverness, with regard to the Uniting of the King's and Marischal Universities of Aberdeen.*

**AT INVERNESS**, the 25th day of September, one thousand seven hundred and eighty six years; present, William M'Intosh, Esq; Provost; Messrs Alexander Shaw, John M'Intosh, James Shaw, and Robert Warrand, Baillies; William Inglis, Dean of Guild; James Clark, Treasurer; Phineas M'Intosh and William Chisholm, Esqrs; late Provosts; Alexander M'Intosh, late Baillie; Thomas Young, late Treasurer; Thomas Munro, Alpin Grant, Donald M'Pheron, and Thos Warrand,



Warrant, Merchants and Guild Brethren ; Alexander M'Leod, Deacon Conveener ; and John Rofs, Deacon of the Taylors, all Counsellors of the said Burgh, in Council convened about the Town's Affairs :

**W**HICH DAY the Provost reported to the Council, that there had been transmitted to him, a printed copy of a paper, entitled, " Outlines of a plan for uniting the King's and Marischal Universities of Aberdeen, with a view to render the system of education more compleat," and that, as this community and the neighbouring country are materially interested in every measure which may affect the prosperity and well-being of the Universities at Aberdeen, where so many of our youth receive their education, the Provost thought it his duty to lay the proposed Plan before the Council for their consideration.

And the printed paper above-mentioned having been read over, and maturely deliberated upon by the Council, they are unanimously of opinion, that an Union of the two Colleges at Aberdeen, upon a proper plan and under suitable regulations, would be attended with beneficial consequences, and would tend greatly to the advancement of literature and science in the Northern Parts of Scotland. And therefore, the Council DID, and DO hereby APPROVE, in general, of the measure now proposed, for effecting the Union of the Colleges, by such means and in such manner as shall be judged most conducive to the further promotion of learning and science : and the Council recommend to the Provost to transmit an extract of this act to Dr James Dunbar, one of the Professors of the King's College, and to assure him and such other Members of the Colleges as favour the Union, of the hearty concurrence and approbation of the Magistrates and Council of this Burgh, so far as they are interested, or as their influence can extend.

(Signed) WILLIAM MACINTOSH, PROVOST.

Extracted from the Council Records of the said Burgh, upon this and the two preceding pages.

(Signed) CAMPBELL MACINTOSH, CLERK DEPUTE.

No. 3. *Extract from the Opinion of the Physicians in Aberdeen, with regard to the Establishment of Medical Classes in the United University.*

**T**HAT part of the proposed plan of Union betwixt the King's and Marischal Colleges of Aberdeen, wherein the institution of a Medical School is intended, having been under our consideration ;

We think it proper to deliver our joint opinion upon the subject, and submit it to whatever purpose shall be thought necessary by the Magistrates of Aberdeen.

In the first place, we entertain no doubt whatever of the success of a Medical School in this city, if it is properly instituted as a part of the University.

Some of us are well acquainted with the circumstances which contributed, many years ago, to defeat the attempt of the late Doctors Gregory and Skene to establish a Medical School ; but these are now totally done away.

Some private attempts of late have succeeded better, but still the countenance and support of an University establishment are requisite to give assurance of full success in this matter.

In whatever degree it may take place, its great utility to the students of medicine here, and in the North parts of Scotland, cannot be called in question ; and we earnestly wish for it, on account of the young men who are, or may be under our care ; and at the same time we are confident, it would induce many more to come here for their education, a great number of whom now to go the army and navy, and on board merchant ships, without any other education than a country shop and practice can afford.\*\*\*

(Signed) Alexander Robertson, M. D. Alexander Bannerman, M. D. William Livingston, M. D. Francis Frazer, M. D. George French, M. D. Alexander Gordon, Surgeon ; George Skene, M. D. Alexander Donaldson, M. D.

No. 4. *Resolutions of the Society of Procurators in Aberdeen.*

At Aberdeen, the fourth day of October, one thousand seven hundred and eighty-six years ; in presence of a general meeting of the Society of Procurators in Aberdeen, called (by five members) in terms of their charter, in order to deliberate and give their opinion, " whether the Establishment of Law Classes in this City would be beneficial to the Society :"

**T**HE meeting having deliberately considered the subject upon which the Society has been called, and being fully persuaded that the institution of Classes for Civil and Scots Law within the city of Aberdeen, would be highly advantageous to this part of the country in general, and particularly to the Society of Procurators, as their young men and apprentices would thereby have an opportunity of studying law in a scientific manner, and at a moderate expence, without being obliged as at present to go to distant places for that purpose ; the society therefore hereby DECLARE their hearty approbation of the institution of such Law Classes, and RESOLVE, That in the event of their being established, they will not only re-



commend to their apprentices to attend the same, but will also apply to the judges to have an act of their respective courts made, rendering it indispensibly necessary in every candidate for admission as Procurator, to produce along with his application, a proper certificate of his having regularly attended for a year, any Scots Law Class that may be established in this city, or in some other University. And the meeting appoint this resolution to be entered in their books, and extracts of it to be given by their Treasurer to such as desire it.

Extracted from the minute book of the Society, by

(Signed) CHARLES BANNERMAN, TREASURER.

*The above Resolutions are subscribed by above Twenty Members of the Society.*

No. 5. *Extracts of Letters received from various Persons, relating to the Union.*

A Nobleman of the first rank in the North of Scotland writes thus. "I had the honour of your Letter, and am happy to find that my endeavour to promote an Union between the two Colleges has met with the approbation of you and your colleagues. It will always give me great satisfaction to support any measure, that may tend to promote the advancement of Literature in the North of Scotland. I look upon an Union between the Colleges as indispensably necessary for that purpose—you may therefore be assured, that I shall use every exertion in my power, and take any step that you will do me the honour to suggest, in order to accomplish a plan so full of advantages, and so very beneficial to this country in general."

II. Another Nobleman, eminently distinguished for his love of learning and attachment to his country, uses the following words. "I am very sensible of the honour done me by the respectable Society of Marischal College, and the approving Professors of King's, and have signed with hearty approbation the paper transmitted to me. I shall be happy if it can be of any service in furthering an Union, which I long ago suggested to some of the wellwishers to Aberdeen, and to the North of Scotland, almost precisely on the same plan with that now chalked out."

III. A third Nobleman, intimately connected with this country, says, "I have received yours, acquainting me of the proposed Union of the two Universities of Aberdeen—a plan I have often heard suggested in private conversation, and which always met with my ideas (so far as I was acquainted in that matter)—but so respectable a character as that of Lord Bute alone, would induce me to give it my approbation, and to wish you, Gentlemen, most heartily, success."

IV. A fourth Nobleman of the same rank, and equally connected with our Universities, writes in these terms. "I have read with attention the Letter you was so good as to favour me with, dated the 12th inst. and have carefully perused and considered the printed Outlines of the Plan which it inclosed, and so far as I am capable of judging, I think it a very proper and a very liberal one, and the proposed Union an object, the success of which would be followed by the most beneficial consequences to the interests of Literature, and the improvement of academical education in the North of Scotland. It is therefore in my opinion an attempt exceedingly praiseworthy, and singularly deserving of the countenance and support of all who are connected with, or who wish well to that part of the country."

V. A fifth Nobleman, possessed of the largest property in this county, writes thus. "I had the favour of your obliging letter, with a plan for uniting the two Colleges at Aberdeen, which I shall be glad takes place, as I think it a very proper one, and am persuaded it would be attended with many advantages to the public, and to learning in general—I propose being in London the end of next month, and if I can be of any service to you there, shall be happy in doing it."

VI. A sixth Nobleman, who has been long and intimately acquainted with the state of Aberdeen and its Colleges, says, "I am favoured with your letter of the 12th inst. and its inclosures—these to Lord G— have also been delivered, and you may assure yourself of his Lordship's approbation of the Union, and mine, with our most hearty wishes for its success—I never was more clear in any point in my life, and I have been so uninterruptedly since the 1754, when I first represented the county of—, thinking as I do, that it must be attended with the utmost utility to learning and to the country."

VII. The following is the opinion of a Gentleman of the first rank and character, and particularly interested in the prosperity of these Universities. "I received the favour of your letter, on the subject of the Plan for uniting the two Universities of Aberdeen. Had they been constitutionally formed upon the same principles, I believe an Union would have taken place before this time; but the different interests of individuals prevented it in 1754, and I am afraid the same objections still subsist—The Plan now proposed seems to be upon a liberal footing, and I most sincerely wish it may take place; but as it has been twice attempted, and often agitated on different occasions, and never agreed to, I have no hopes of the proposed end being obtained, unless an application be made to the Crown for a Visitation, and perhaps the interposition of the Legislature may at last be found necessary."

VIII.



VIII. Another Gentleman, who is connected in a public capacity with this part of the country, says, "The measure of an Union appears to me calculated to answer the best purposes for the advancement of literature, and I am more surprised that it should not have been sooner accomplished, than that it should have been for so many years the object of the wishes of so many Professors of both Universities. Some obstacles seem still to stand in the way, and I must be permitted to add, that I am sorry it should be necessary to have a recourse to the expedient of a Visitation, which you seem indeed to embrace with reluctance—However, I am so much aware of the difficulty or rather impracticability of producing an Union of sentiments among so many individuals as compose the two Universities, that in hinting my dislike of the mode proposed, I must in candor confess my doubts, whether any other could be suggested, to effect the Union so much desired. Impressed with this idea, and confident that every effort will still be made to bring about the Union in an amicable manner, I have no hesitation in avowing my strong approbation of the measure in general, and I dare say the particulars of the Plan will be considered and arranged in the best way possible.

IX. Another, the last we shall mention, a Gentleman of considerable rank and fortune in a Northern County, who it appears had not even seen our Plan of Union, expresses himself as follows.

"I have not yet seen the Plan for the Union of the Marischal and King's Colleges of Aberdeen, but I am very well persuaded, that an Union upon liberal principles, is a measure that all the counties to the North of the Tay, are very much interested in, and should support; as it would place an enlarged system of education more within their reach, and that, not attended with the same risk to health and morals that young men are exposed to in larger seminaries. If my taking a part in the matter could be of the smallest consequence, you may believe my readiness to do so."

*The above extracts, it is presumed, will afford a satisfactory answer to the accusation of our opponents, "that Gentlemen had been surprised into an approbation of our measures," which as it could only be refuted in this manner, we hope the above Noblemen and Gentlemen will readily forgive the liberty we have taken, of publishing a correspondence that does us so much honour.*

#### No. 6. State of the Salaries of both Collegss.

SALARY of Principal of King's College in 1770,	£. 136
Salary of Principal of Marischal College in 1770, arising from crop 1769,	107 10 3
Salary of the same, on a medium of five years, crops 1780 to 1784 inclusive	131 14 6
Salaries of Professors of Philosophy and Greek in King's College, 1770	£. 63
Salary of Professors of Philosophy and Greek in Marischal College, 1770	55 6 9
Salary of the same, in a medium of the five years above mentioned,	67 17 11

As the offices of Principal and of Professors of Philosophy and Greek are those only which the scheme of Union leads to a comparison of, it is unnecessary to specify the salaries of the other offices.

The salaries of the Principal and Professors in King's College in 1770, are taken from a state in the hand-writing of their Procurator. What their precise amount is at present, we have not been able to learn, but we are assured, that they have received no increase since 1770, if they have not fallen off in value.

#### No. 7. Proposal delivered to Dr. Thom, on Saturday, August 5, 1786.

SINCE Principal Chalmers and his friends have objected to the Plan of Union, as improper and impracticable; it is proposed by the friends of the Union in both Colleges, that it should be referred to the two Rectors to digest such a Plan as they, after hearing both parties, shall think proper in all respects, and practicable. Each member of both parties binding himself not to oppose, directly or indirectly, that Plan of Union which the Rectors shall agree on.—The Rectors shall have power to choose an Overfman, if there be occasion: And if their plan is not finally settled before the day of both parties shall be at liberty to proceed as they think fit.

An answer is expected on Tuesday next.

#### Answer to the above.

Principal Chalmers and the few members of King's College who have had an opportunity of seeing and considering the paper left by Mr. P. Copland with Dr. Thom, return the following answer:

Whatever plan the two Rectors shall take the trouble to digest, they will examine with candour and the strictest impartiality, having in their eye the public utility and the rights and privileges of the King's College, and shall deliver their opinion in writing: But in so doing they can have no concert with the members of the Marischal College or their two adherents in this College, for reasons that their recollection will readily suggest to them.

DEFENCE



*DEFENCE of the Conduct of Marischal College, in relation to the present Scheme of Union, against the Attack made on it by the Principal and Six Professors of King's College. In a Letter to a Friend, by a Member of Marischal College.*

DEAR SIR,

YOU tell me, that, in the judgment of many sensible people, we and our associates in King's College, have done a great deal for the vindication of the measure, the Uniting of the Colleges, and for the recommendation of the particular Plan of Union we have laid before the public; but that those of the Marischal College have not entirely exculpated themselves from the accusations brought against them by their opponents: nay, to some things, you say, with which they have charged us, we have not deigned to make any reply at all. I acknowledge there is truth in the remark. But you will surely admit, that it was both more important, and more respectful to the public, to exert our abilities rather in justifying the cause than in justifying ourselves, and vindicating the manner in which we have conducted this business, from the aspersions which have been thrown upon it. This last part, I own at the same time, though of less, is of some importance; for there are not a few, who are incapable of giving an impartial ear to a cause when they are prejudiced against the persons concerned in it, and the manner of conducting it. I shall, therefore, in this letter, endeavour, as briefly as possible, to gratify you, by taking some notice of every charge which appears of any moment, brought against us in their Memorial. And if I should not be able to convince you, that we have in every thing adopted the most prudent measures, which I do not attempt, I hope to make it evident, that we have given no just ground for the clamour which some have attempted to raise. I am sorry that in this, I shall be obliged to detect some misrepresentations of fact, with which the Memorial, said to be of the University and King's College, so remarkably abounds. The task is irksome; but it is become necessary.

The first thing, when I peruse the Memorial with this view only, that seems to require some notice, is what is said at the top of page 9, in relation to the former attempt towards an Union in 1770. It seemed exceedingly unnecessary, unless as much as possible to load the charge against the Marischal College, to introduce an affair so little connected with the present, that the faults, if there were any, committed in the conduct of the one, can bring no reflection on the conduct of the other. But, let us hear what the writer says: "A joint meeting of both Colleges was called early in winter 1771. [In it, "some Members of the King's College totally disapproved the articles proposed." It would have given fuller information, without requiring more words, to have said, "two Members of King's College;" for the Principal had then but one adherent; four of the present six were on the opposite side, and one has been admitted since that period.

"At the same time," it is added, "a letter to the Marischal College, from their Chancellor, was read; and it appearing to be an answer to one written by them to his Lordship, and that seemingly in the name of both Colleges, fault was found with their having written without the privity of the other College, on a matter in which both were equally interested." No letter was ever written by us to our Chancellor, that could be understood to be in the name of both Colleges. What was written, was expressly in name of the Marischal College, had their unanimous approbation, and was signed by the Principal as Principal; which nobody will believe that they or he would have taken upon them to do for King's College. But why do the Memorialists say *seemingly*? If the author of the Memorial be the person to whom the public universally ascribes that paper, (and if he be not, that person ought to do himself the justice to disclaim it) he was then a Member of Marischal College, and knows what they did as well as any man. Let him speak out what he knows: for he will not deny, that the Society did nothing in that matter without him. Every measure taken, if not suggested by him, had the sanction of his cordial approbation; for no one, when that letter was written, appeared more zealous in the cause than himself; nor was greater deference shown to any person's opinion than to his.

"Fault was found with their having written without the privity of the other College, &c." When the Colleges began to hold meetings together on the subject, it was resolved, that each College should write to and consult their Chancellor, for the Chancellor of King's College was then alive, tho' dead before the meeting in 1771, but it was neither required nor expected by either, that there should be such a communication of the letters given and received. We held it sufficient, that the import of the answer was communicated. We entertained no jealousy of each other. Having the same common object, each placed an entire confidence in the measures taken by the other; so little did we expect that one of ourselves, who warmly co-operated in every measure, would become our accuser. Our writing *without their privity*, carries an insinuation that we did it in a clandestine manner. I would beg this writer



to reflect, whether there was any such communication made to Marischal College of the letters of King's College. They wrote to their Chancellor no doubt, for we were expressly told, long before the meeting in 1771, that he approved the design, and would give it all the support in his power. But this author will not say, that any letter written to him, was either shewn to the Members of Marischal College, or demanded by them.

"It was demanded," says the writer, "that their letter should be communicated, but this was positively refused." By whom was it refused? Was it by the Principal? He will not be accused of answering for the society, unless when he is expressly authorized by them. And on this point there could have been no previous resolve, as the demand was unexpected. Did then every member of Marischal College present give a refusal for himself? The writer has too much discernment not to perceive that this charge would now extend a little beyond the precincts of Marischal College.† By the expression *positively refused*, who would not understand the meaning to be, that we declared that we would not show them that letter? Now the simple fact is no more than this. No copy of that letter had been brought to the

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meeting,

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† After several copies of the Defence had been circulated, the above passage between the brackets, beginning line 28 of the preceding page, at the mark [ and ending line 11 of this page, at the mark ] was cancelled, and reprinted in the following manner. (The words in Italics shew at one view the alterations that were made)

*He should have said, early in 1772 (§) "In it, some members of the King's College totally disapproved the articles proposed." It would have given fuller information, without requiring more words, to have said, "two Members of King's College;" for the Principal had then but one adherent; four of the present six were on the opposite side, and one has been admitted since that period.*

"At the same time," it is added, "a letter to the Marischal College, from their Chancellor, was read; and it appearing to be an answer to one written by them to his Lordship, and that seemingly in the name of both Colleges, fault was found with their having written without the privity of the other College, on a matter in which both were equally interested." No letter was ever written by us to our Chancellor, that could be understood to be in the name of both Colleges. What was written was expressly in the name of the Marischal College, and was signed by them all. *The answer is extant, and tho' sent under cover to the Principal, is directed within To the Principal and the Professors of the Marischal College of Aberdeen; who are all collectively addressed in the letter by the title of Gentlemen. Can such a letter be said to be seemingly an answer to a letter written in the name of both Colleges?* If the author of the Memorial be the person to whom the public universally ascribes that paper, (and if he be not, that person ought to do himself the justice to disclaim it) he had been a Member of Marischal College during the greater part of that transaction. *Was it ever their method to write in the name of others who had not empowered them, and without their privity?* Let him speak out what he knows: for he will not deny, that *whilst he remained a member*, the Society did nothing in that matter without him. Every measure taken, if not suggested by him, had the sanction of his cordial approbation; for no one appeared more zealous in the cause than himself; nor was greater deference shown to any person's opinion than to his.

"Fault was found with their having written without the privity of the other College, &c." When the Colleges began to hold meetings together on the subject, it was resolved, that each College should write to, and consult their Chancellor, for the Chancellor of King's College was then alive, tho' dead before the meeting in 1772, but it was neither required nor expected by either, that there should be such a communication of the letters given and received. We held it sufficient, that the import of the answer was communicated. We entertained no jealousy of each other. Having the same common object, each placed an entire confidence in the measures taken by the other. Our writing "without their privity," carries an insinuation that we did it in a clandestine manner. I would beg this writer to reflect, whether there was any such communication made to Marischal College of the letters of King's College. They wrote to their Chancellor no doubt, for we were expressly told, long before the meeting in 1772, that he approved the design, and would give it all the support in his power. But this author will not say, that any letter written to him, was either shewn to the Members of Marischal College, or demanded by them.

"It was demanded," says the writer, "that their letter should be communicated, but this was positively refused." By whom was it refused? was it by the Principal? He will not be accused of answering for the society, unless when he is expressly authorized by them. And on this point there could have been no previous resolve, as the demand was unexpected.

(§) Certain circumstances led me to remember, that the meeting spoken of was in the end of January or beginning of February, and what is said in the Memorial misled me at first into the opinion that it must have been in 1771; for by no idiom that I am acquainted with, can January or February 1772 be called *early in winter 1771*. Now if the meeting had been in the beginning of 1771, the Gentleman alluded to was then a Member of Marischal College; for his resignation is dated June 18th, 1771. If then I was mistaken, as I certainly was, in representing him as, at that meeting, a Member of Marischal College, I was led into that mistake by the Memorial itself. If it be asked what evidence I have that the meeting was early in 1772, my answer is; since writing the Defence, I have fortunately lighted on the letter from the Chancellor which was the subject of conversation at that meeting, and which is dated January 9th, 1772.

The above passage was republished nearly in the same manner in the Aberdeen Journal of October 16, 1786, but with a Note somewhat different, as follows:

From certain circumstances I remembered distinctly, that the meeting spoken of was either in January or very soon after, and what is said in the Memorial misled me into the opinion, that it must have been in the beginning of 1771; for by no idiom that I am acquainted with, can January or February 1772 be called *early in winter 1771*. Now if the meeting had been in the beginning of 1771, the Gentleman alluded to was then a member of Marischal College, for his resignation was not given in till June 18th, 1771. If then I was mistaken, as I certainly was, in representing him as at that meeting a member of Marischal College; I was necessarily led into that mistake by presuming on the accuracy of the Memorial in the circumstance of the date. The discovery of this error in the Memorial, tho' it would be uncandid to impute it to any thing but a slip of memory in the writer, has, if possible, still further convinced me, how



meeting, because not one of us had thought it of any consequence; as the answer was sufficiently explicit and perfectly intelligible without it. Besides, it ought to have been mentioned, that the meeting was held in a house in the farther end of Old Aberdeen, a small circumstance which the Memorialists have overlooked, but which would have shown at once that their request could not have been instantly complied with, had the Members of Marischal College been ever so much disposed to do it. And, to say the truth, the conversation took such a turn afterwards, as could produce no inclination in either side to renew it.

They next proceed to the measures which have been adopted for promoting the present scheme. "It was begun earlier," they say, "than last summer." I do not know what the Memorialists mean by its *being begun*; for if holding any conversation on the subject of uniting the Colleges be understood by the phrase *it was begun*, I will not hesitate to say, it may have been begun many summers ago. Perhaps it would be more proper to say, it was never concluded, since an Union was first projected amongst us in 1754, or rather in 1747. Certain it is, that none of us ever scrupled to give his opinion on the subject wherever it was broached: for till September 1785, we had never dreamt that it was so dangerous a topic to enter upon; and that in particular, the company in which any one of us, tho' not the introducer of the subject, ventured to give an opinion upon it, was a matter of such critical consequence, that the success or the ruin of the most unexceptionable plan might depend on that single circumstance. Admit that it was as early as summer 1784, or earlier, if you please, that a person of rank with whom we have the honour to be connected, to whom we lie under the greatest obligations, and who had been applied to in the year 1770 in favour of the Plan of Union concerted then, had expressed a curiosity, on meeting with one of the Members of Marischal College at London, to know particularly the circumstances which had occasioned the failure of that plan; was it criminal in that member to gratify him, and tell him what he knew of the matter? Or was it necessary that he should remain inflexibly silent; because he was conscious that he had not previously consulted the members of King's College, nor even those of his own, that he might be instructed in what he should say? I believe no person of cool reflection, will say that such a conduct would have been reconcilable to any principle of duty, propriety, or good manners. Yet on this point ultimately rests the whole clamour of bad usage so artificially raised, and so industriously propagated.

"The preceeding summer, to wit 1784, an Union had either occurred or been suggested to one Gentleman of the Marischal College, and he had held some conversations on the subject with persons of high rank at London." The Gentleman here meant denies absolutely that he held any conversation on the subject in 1784 with any person of rank, except the nobleman above alluded to, who introduced the subject. It appears strange to us, that the Memorialists shall think themselves entitled to belief from the public, when they boldly affirm what they can know nothing of but by information, without deigning to produce their authority. "Some time in the autumn, winter, or early spring thereafter this was communicated by him to all the members of that College, and to one member of the King's." Here it consists with the knowledge not of one but of all the members of Marischal College, that no such communication was made to the College, either *in the autumn, winter, or early spring thereafter*: in fact, he had nothing to communicate, except the conversation he had had with the Chancellor, which he mentioned occasionally to some individuals, but did not formally impart to the Society. The first part of this paragraph presents us with an obscure detail, which affirms nothing that is not guarded by an alternative; so that the whole appears a string of guesses rather than of facts. But guessing does not appear to be this writer's talent. Dire designs, it seems, on that occasion, *occurred* to one Gentleman, or if they did not occur, they were *suggested* to him; communications were made *some time in the autumn*; or if not in the autumn, in *winter*; or if not in winter, in *early spring*. Another journey to London took place; more conversations were held. At that time, *if not previously, in some of these* conversations at London, *if not at home*, a Royal Visitation was proposed, and what is more wonderful still, before application made to the crown, the *visitor is named*. It is surely not worth while to examine these things particularly.

Suffice it to say, that admitting what they would account the worst side in all the alternatives, it is not in our power to discover the great matter of offence. We repeat what we have told the world in the Outlines, (p. 3.) and which is more than all their narrative amounts to, that it was a subject of regret to

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unsafe it is to trust to that paper, for any the smallest circumstance regarding facts. If it be asked what evidence I have that the meeting was early in 1772, (as I have now corrected it) and not in November or December 1771? Tho' certain of the fact, I should have been at a loss to give evidence of it to the public, had I not, since writing the defence, fortunately lighted on that letter from the Chancellor, which was the subject of conversation at that time, and which is dated January 9th, 1772. That letter, I may add, bears stronger internal evidence than I had imagined, that it could not have been an answer to any letter written in the name of both Colleges, or could, by any but the most perverse interpretation, be suspected to have been so. The letter is in the Principal's hands, and any gentleman of King's College, who is yet unsatisfied, may, by calling on him, have all the evidence he can desire.

In the Defence, published in the Journal, is the following clause, after the words "measures taken by the other," line 40 of the preceding page. "So little did we expect that one of ourselves, who *had, whilst he was one of us, warmly* co-operated in every measure, would become our accuser."



to us, and to all here who valued the interests of literature, that any scheme which would have conduced to the improvement of education, had been suffered to miscarry; that our good wishes were frequently expressed, and enquiries from time to time made, concerning the hope of seeing it revived; that in this disposition some members of each society (for there were more than one in King's College from the first) conversed together freely on the subject. Nor needs any person wonder that at that time they inclined to converse with those, who, they had reason to think, would favour the scheme, before they opened it to those, who, they foresaw, would give it all the opposition in their power. The writer of the Memorial may please to remember, that the plan concerted in 1770, was for many months the subject of discussion in a private club, to which he belonged, consisting of some members of each College, and of some who were members of neither, before it was judged expedient by him or by any member of the club to communicate the matter to the Principal of King's College, and the other members of both. Yet four of the seven who oppose the present scheme were zealous promoters of that one. And of the four two were members of that club.

But to proceed; "sometime after" the return from London, "a Meeting of the Marischal College was called; they were informed of all the steps which had been taken, and they unanimously resolved, not to mention the subject to any of us, till the annual Meeting of both Colleges in September. But the only member who had been absent did, either thro' ignorance of their resolution, or from his natural openness, give one of us information of the design, and a candid and pretty full account of the several steps which had been taken; but this only four days before the annual Meeting: and on the discovery of his having done so, the matter was mentioned to a few others of King's College." This narrator has been very unlucky in dropping the alternatives, before he was better provided in information. We admit, that as soon after the Professor's return from London, as a competent number of the Members could be found in town, (it being vacation time) a Meeting of the Marischal College was called, and they were informed of the steps which had been taken. In this the writer of the Memorial has said the truth, tho' very imperfectly; otherwise he would have added, that this was the first information given them in their Collegiate capacity, and to some present at that Meeting it was the first time such a scheme had been mentioned at all. On what sort of evidence he has advanced what follows, I shall not attempt to divine. "They unanimously resolved not to mention the subject to any of us, till the annual Meeting," &c. The fact is directly contrary. They unanimously resolved, that such of the gentlemen of King's College as had not been already informed, should be informed of the scheme as soon as possible, and of the encouragement we had to hope that it would meet with support from persons of rank, when application should be made to Parliament, and for this purpose, most of those present undertook to open the matter to some or other of the Members of that College, who were all named, that none might be forgotten. There were just five of us present at that Meeting, every one of whom remembers distinctly every circumstance above related. We should be glad to know, and the public is entitled to demand, from whom the Memorialists had their intelligence, which is perfectly the reverse, and contradicted by all that were present.

The only thing which we agreed not to mention was, that a Visitation had been suggested, in case of obstacles, otherwise insurmountable. We were aware that there might be some by whom the mention of such a measure would be interpreted as a threat; and that there might be others who being determined for reasons of their own, to oppose an Union in any form, would not desire a better handle for working on the passions of their colleagues to procure their concurrence. Besides, to tell you plainly, we ourselves were not then satisfied as to the expediency of such a measure. A Visitation was a thing we were little acquainted with. We had not had leisure to examine and weigh all the consequences, and therefore were not ripe for coming to any positive determination about it. With so little regard to truth is it asserted (Mem. Page 10.) that an application for a Royal Visitation was a step already concerted: But of this more afterwards. Nothing however could have served more to hasten our resolutions on this head, than the heat with which the subject was taken up by our opponents, the misrepresentations made of our measures, the clamour so undeservedly raised against us, and the impossibility of dealing with them in any other manner. It was not by the mention of a Plan of Union, that the member who had been absent from our meeting, did unintentionally counteract our design: In mentioning the Union he co-operated with us: but it was by the mention of a visitation, which quickly produced all the effects we had foreseen. Nor was it on the discovery of what he had done, but in consequence of our own resolution, that the matter was mentioned to other gentlemen of King's College. I shall not accuse the writer of the Memorial of wilfully misrepresenting facts, in order to hurt us in the opinion of the public. But we have all great reason to complain that he has been at no pains in examining the information, or rather the conjectures and suspicions on which he has founded the charge now published to the world against us. And we cannot help saying of all the Memorialists, that they have had more implicit faith in the writer than we could have believed them capable of.

In the next paragraph the writer has thought proper to give his account of what happened at the annual Meeting. Of this I shall observe by the way, that it does not contradict any thing advanced in the Outlines;



lines, except in one slight circumstance, which shall afterwards be taken notice of. It is very true, that on mentioning at that Meeting, that a scheme of Union of the Colleges had been again thought of by some who had conversed on the subject with persons of rank, and had been encouraged to hope that such a plan as might conduce to the interests of learning, would meet with powerful patronage and support; some members of King's College demanded in a peremptory tone, first to be acquainted with all the steps which had been taken, &c. before they would hear us on the merits of the cause. Willing to gratify them in every thing reasonable, they were informed by the gentleman to whom they particularly directed their discourse, of every thing material that had passed.

They say, "with the *omission* of several things which before had been communicated to one of them." I know nothing of moment that was omitted, unless they reckon his not mentioning a Visitation an omission of this kind. But let it be observed, that when a Visitation amongst other expedients was first suggested, it was not as a step in the procedure for effecting the Union, it was only as one method of surmounting difficulties otherwise insuperable, in case they should occur. But as we were persuaded, that if the gentlemen were as well disposed to concert together for forming a proper plan as all who were members at the time had shown themselves on one former occasion, and the greater part of them on two, there would be no difficulties to surmount, and consequently no need for recurring to Visitation; (persuaded of this, I say) both propriety and delicacy required that we should avoid whatever instead of inducing them to enter into our views, might occasion their stumbling at the threshold. Besides, it was a step which at that time was neither meant nor wished by any of us. When they put the question, it was admitted, that it had been amongst other things thrown out in conversation on the subject, but had received no mark of approbation from us. And tho' it was not in our power to view it in the formidable light in which they appeared to view it, we were very far from desiring to recur to it. We entreated therefore that, dropping a measure which had been perhaps inconsiderately mentioned, they would consider of the plan to be adopted. We did not pretend to fix any thing. We had only employed our thoughts on the subject, which they might consider at present, or at any future period which the joint meeting of both societies should be pleased to appoint.

But it was in vain to expect a patient hearing to any motion that would have led them to canvass the merits of the cause: there were many things they must previously be satisfied about. As we were inclinable to keep them in good humour if possible, we begged to know what it was they wanted to be satisfied about. On this indeed two of them (there were only five of King's College present) assumed the office of Examiners; and the gentleman of whom they speak in the Memorial, was (we may say without a figure) put to the question by them: For there is a species of torture to an ingenuous mind in being harassed with questions, to which an immediate answer is required, relating to what passed in private conversation at different times, and in very different companies, and even perhaps in the confidence of friendship. Many things may pass in private conversation, which whether proper or not, whether material or trifling, it would be very indelicate and improper for either of the parties to mention in public without the consent of the other. Now as it is hardly possible for those who have most presence of mind always to distinguish on the sudden, between what may or may not with propriety be communicated, we were very sensible that our Colleague was put by those importune querists in a very distressing situation. They became, as they advanced, more minute in their inquiries, as to what was spoken, when, by whom, &c. &c. in so much that he at last found it necessary to evade some of their questions, and to decline giving any answer to others. And it was very pertinently observed to the Examiners by one of our members, that he did not see any propriety in many of the questions, or any occasion for answering them, as it could serve no other purpose than to inflame matters, and perhaps expose individuals to their displeasure. Much clamour also was set up, that the members of Marischal College should devise measures for such a public purpose, without consulting with those of King's College. In vain had they been told over and over, that it was not all of Marischal College, but only two or three who had from the beginning, consulted in every thing with two or three of King's College. On their being informed who these last were we found to our astonishment, that we had been as unlucky in mentioning the matter to those of that College to whom it was mentioned, as in not mentioning it to the rest. Both steps were equally subjects of complaint; for we were given to understand (what most of us know nothing of before) that they had differed about College matters among themselves, and that some of the few who had been consulted were of the minority. From what happened on this occasion we may remark by the way, that unless an *etiquette* be agreed upon, ascertaining what I may call the order of communication, it will be impossible, with people so exceptionous, to manage any matter in time to come, tho' it be ever so profitable for both Colleges. For if a man unhappily err here, (where error is almost inevitable,) and communicate the design to one, before he has mentioned it to another who claims precedence, it is lost irreparably. Those gentlemen, to do them justice, were not always so punctilious. I have observed already how little account they made of such of the members of both Colleges, as did not belong to a certain private club. And what regard they showed to pa-



trons of offices and burfaries, may be learnt from what they themfelves fay in their Memorial concerning the plans of 1754 and 1770, (p. 9.) which were purpofely kept as fecret as poffible, till a plan fhould be prepared and adopted by the two Colleges.

But to return to the meeting in September 1785; when the altercation was beginning to grow warm, one of the Gentlemen of King's College humanely interpoſed by ſaying, that there needed not more inquiries into points about which we were not likely to agree; for the union of the Colleges was a thing in its nature impracticable, it being ſubverſive of the fundamental articles of the national Union; and by the deciſion given in the affair of Wadham College, it was manifeſt that it would meet with the moſt powerful oppoſition from the Law-Lords and all friends of the Conſtitution. On being checked by a look from one of the Examiners, he apologized by ſaying, he had perhaps been premature in mentioning theſe things. (This, by the bye, firſt ſhewed us, that meaſures had been concerted for oppoſing us.) Then one of the members of Marſchal College took occaſion to obſerve, that ſo far was the Gentleman from needing to make an apology for what he had ſaid, that he was the only perſon who, ſince the affair had been opened, ſpoke directly to the point. There are two queſtions which, before every thing elſe, ſhould come under diſcuſſion: the firſt is, whether an Union of the Colleges be practicable; the ſecond, what ſort of union would moſt conduce to the advancement of literature and the intereſts of education. The Profeſſor has juſt now offered ſome objections to the practicability of ſuch a ſcheme; let us hear him fully on this head, and begin with canvaffing what he offers. If he ſhall convince us that the matter is as he represents it, there will be an end of the buſineſs; none of us will incline to waſte time in attempting impoſſibilities; and if he ſhould not convince us, we ſhall next enter on the conſideration of what would be the moſt proper plan. On this we were informed, by the two gentlemen who had conducted the examination, that they would enter into no diſcuſſion on the ſubject; for tho' they declared themſelves to be of the ſame ſentiments as formerly in regard to the expediency of an Union, the methods taken for effecting this, particularly the mention of a Viſitation, had rendered it impoſſible for them to enter into any concert on the ſubject.

It appeared to us very ſurpriſing, that men of knowledge, moderation and diſcernment, (admitting the truth of this pretext, that we had acted improperly) ſhould renounce a meaſure, which, by their own acknowledgement, might be made conducive to the intereſts of learning, and the improvement of education in the place, merely becauſe there had been ſome miſmanagement in the manner of bringing it under their review. But **THE VISITATION**, that ill-omened word, the bare mention of which, (I ſhould rather ſay, the being unfortunate enough to hear it mentioned; for it was the ſame thing whether it had occurred to any of us, or been ſuggeſted) was the irremiſſible ſin which could not be expiated, till the preſent race of Profeſſors ſhould be ſwept off the face of the earth. Beſides, that, in point of conſiſtency, their conduct might be all of a piece, one of them declared, the arguments from Wadham College, and the National Union, were unanſwerable. Was it matter of wonder that, in the Outlines, we ſhould call this conduct myſterious? It appeared ſo to us then, and it appears ſo to us ſtill, in a very high degree.

They ſay in the Memorial, "At the annual meeting ſome, not all of us, allowed the expediency of a "proper Union." The truth is, there was only one who expreſſed a diſſent from that opinion. It was the ſame gentleman who had objected to the practicability of an Union, and was the only perſon preſent, who had declared himſelf of the ſame ſentiments in the year 1770, being at that time the Principal's ſole adherent. It is no more than doing him juſtice to acknowledge, that he acted with perfect conſiſtency all along: he avowed his opinion in a manly and open manner; but he had prepared no interrogatories, and ſhewed no inclination to avail himſelf of mere clamour, and the groundleſs pretence of bad uſage, for declining to take a concern in the preſent ſcheme. With this only exception, the declaration in favour of an Union was univerſal: and the following, tho' in itſelf but a trifling circumſtance, yet, becauſe it ſhows that what has been aſſerted on this head is not without foundation, deſerves to be mentioned. It was propoſed, not by any of us, but by one of the five Members of King's College preſent, that we ſhould conclude the meeting like friends, with drinking a bumper to the Union; which was done accordingly. The Gentleman who made the motion was, I believe, ſincere in making it. He had always been friendly to the ſcheme of Uniting, and we had no reaſon to think that he had changed his opinion. He had taken no part in the ſcrutiny; nor did he join in the clamour. To ſome of us he appeared aſhamed of it. Certain it is, that when a reflection was ſomewhat roughly thrown out by one of his colleagues againſt one of us, as chargeable with oſtentation, and I know not what—on account of ſome things which it had been judged proper to notify in a newspaper, that Gentleman had the juſtice and the candour to join againſt his Colleague, with the Profeſſor who had been thus attacked, and to declare, that he had done no more than what, in his opinion, he ought to have done, and what he himſelf would have done in the like circumſtances. It cannot juſtly render his ſentiments in favour of Union queſtionable, that he is at preſent one of the fix Profeſſors who join the Principal. We can make allowance for the light in which the ſubject may now appear to him, and perhaps to ſome others of them. However deſireable an object the Union of the Colleges be, they have ſeen it oftener than once attempted, with the moſt favourable appearances, but  
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without success. We cannot therefore wonder, that they should reckon the success of the present scheme so improbable an event, as to think it imprudent to risk the harmony they enjoy with those with whom they have hitherto generally concurred in measures, for the sake of a good which they suspect it will not be in their power to attain. If the Gentleman, who took the lead in opposing us, had, at that meeting, put their refusal to concur with us upon this footing, they would have perplexed us greatly, perhaps divided us. We should have been at a loss to determine, whether any thing further ought to be attempted at present ; or what should be attempted : for, whatever they may imagine, we were exceedingly averse, either to break with them, or to occasion any breach among them.

Again, if those gentlemen had taken the opposite method, and had said plainly, " We have changed our opinion : for though we have for many years been persuaded of the possibility and expediency of Uniting the Colleges, and have, at different times, strenuously contended for that measure, we are now convinced that we were all the time egregiously mistaken, that the thing is impossible, or, if it were possible, would be most pernicious ;" (if they had taken this method, I say) tho' the change would have surprized us exceedingly, we should have at least admitted, that there was something which had a more manly and ingenuous appearance, in the open acknowledgement of their error, and should, perhaps too much, have been induced to put off matters, till, by often conferring together on the subject, we should come to understand one another better. But instead of this, to profess that they were of the same sentiments as formerly, that they were as zealous for an Union as we were, whilst they were doing every thing in their power to prevent it, and would not admit of so much as conference for setting things to rights, if there had been any mistake in the former part of the management, was to insult our understanding and treat us as children or fools : for it was only such, that so shallow an artifice was capable of deceiving. That subterfuge cannot avail them, to which now they have recourse, that men may approve one plan of Union who highly condemn another. The Outlines were not then written. There was no plan devised of which their approbation was required. It was only intreated, that they would join with us in digesting a plan.

It is indeed true that they are now beginning, tho' late, to veer about, and to perceive, that the opinions formerly maintained by them will not, in the judgment of the impartial public, be thought consistent with their present conduct. They at length admit, tho' somewhat awkwardly, that they were in the wrong, when they sought to promote an Union ; but they are grown wiser, and find it their duty now to be as zealous opposers, as in those days they were promoters of it. Accordingly we hear often now of *conscience* and *oaths*. It is surely never too late to renounce an error, or to change from bad to good. And if the alteration in their sentiments and practice be of this kind, it is wise in them to make it. But we cannot help being astonished, that men of good sense and extensive knowledge, as all who are acquainted with those Gentlemen will own them to be, should have been so long members of that Society, some of them upwards of forty years, and should never have found out till now, the meaning of an oath which they took at their admission ; nay that, tho' they have had it repeatedly under consideration on similar occasions, they were never able to discover in it what they perceive so clearly at present. That oath must be wonderfully equivocal, and consequently good for nothing, of which not only different men (men too of great acuteness and penetration) but the same men at different times give interpretations so contradictory to each other ! Yet this, however strange, we must admit, unless we are absurd enough to suppose that they never imagined till now that perjury is a crime in a Professor as well as in any other man.

I have taken some notice of four of the Members of King's College who were present at the annual meeting, and shall only add concerning the fifth, a young gentleman who had been but lately admitted Professor, that he took no part in the conversation, and as far as I remember, made no declaration of his sentiments on either side, except that he joined in drinking to the Union. Only one of the six who now join the Principal was absent ; and I can say with truth, that all we of Marischal College regretted his absence most sincerely. We knew well that, whatever might be his sentiments of the Union, he was possessed of that coolness, integrity, and good sense, which would qualify him for judging impartially between the parties. His presence, we think, would have proved a check on some of his Colleagues, and prevented several things not quite unexceptionable or becoming, which took place in that conversation, and thus might, not improbably, have given a better issue to the whole. But whatever be in this, I should have, for my part, been happy to think, that to the truth of a principal part of the facts mentioned in this Defence, I had a witness in their own Society every way so unexceptionable. I need only add, that after they had refused absolutely to have any more conversation or concert with us of any kind upon the subject, either then or afterwards, we parted. The Memorialists, not satisfied with the cursory manner in which these things were passed over in the Outlines, tell us that the detail ought to be calculated to explain equally the conduct of both parties. I hope the account now given will be found to possess more of this quality than even that we have in the Memorial, whose principal fault is very different from either minuteness or brevity.

The next piece of information they give us is (p. 11.) that " two of their numbers, in name of the whole,"



" whole," that is, I suppose of the seven members of King's College who declare against Union, " waited on the Gentleman of the Marischal College who had brought forward the Scheme, and on their proposing that if any letter to their Chancellor on the subject of the Union was resolved on, it should be communicated to us, he said that this appeared reasonable to him, but he could not answer for the society : " That Gentleman does not allow that he answered in the general terms they have expressed, or in terms equivalent : He affirms that the import of his answer was only, that, in his opinion, no letter affecting their rights and interests ought to be written without their knowledge, and added, that neither he, nor, to the best of his knowledge, any of his Colleagues would think of writing what, in their opinion, could have such a tendency. The last clause sufficiently showed the import of his answer to be, that any letter by which their interest could be injured, ought not to be written without their knowledge, which is surely very different from *any letter on the subject of the Union*.

The Memorialists add, " Next day one of us waited on the Principal, and made the same proposal to him, but he refused to communicate to us any letter which they might resolve on writing." Concerning this affirmation the Principal says, that he never read any thing with greater astonishment, yet he cannot allow himself to think that the writer has in this wilfully misrepresented him, as it does not appear to contribute much to his purpose. He is disposed rather to impute it to an inattention arising from some confusion of thought at the time when the application was made. But as to the fact, the Principal has uniformly made it a rule, not to give an answer for the Society, not even in the plainest case, till he is impowered by them. This very rule he mentioned oftener than once to the person who applied to him. That Gentleman said, He had three proposals to make. The first was, that the Marischal College should send no letter to their Chancellor, which the King's College had not previously seen and approved. And this was enforced with observing that they had done so formerly, to wit, when their views coincided. This the Principal acknowledges appeared to him a most extraordinary request, as it would have given the King's College the power of putting a negative on their writing at all to their Chancellor. It was indeed so extraordinary, that he suspected the Proposer himself, tho' distinguished for acuteness, did not advert to the full import of it. The Principal replied, that if the Gentlemen of King's College desired that he should ask in their name, whether the Marischal College would agree to the Proposal, he should take the first opportunity of putting the question to them, and should return their answer ; for he never answered for them without their authority : he added, in order to prevent this reply from being interpreted more favourably than he meant it should, that, as to his own private opinion, he did not believe they would agree to such a proposal, nor did he think they ought to do it ; but this he did not give as their answer, but as his own opinion. The second proposal was barely that the letter should be communicated to them. This proposal also, it was replied, should be laid before the Society, and their answer should be sent ; but as to their agreeing to it, the Principal said he very much doubted. The third was, that at least they should be acquainted whether the Marischal College was determined to write, and when. To this it was answered, that they made no secret of their intention to write ; that they had not written since the annual meeting of the two Colleges ; and he did not doubt, tho' he could not say positively, they would agree, that those of King's College should be acquainted, when it is done, if they desire it.

Soon after this, before he had an opportunity of consulting his Colleagues on the proposals which had been made, he received a card from the Gentleman who had been with him before, purporting that the Principal and six Professors of King's College did not accept of what was proposed by the Principal of Marischal College, and were therefore at freedom to take their own measures. This card surprised him greatly, being conscious that he had made no proposal to them of any kind ; he had only heard their proposals, promised to lay them before his Colleagues, and to return the answer as soon as possible. He acknowledges he gave his opinion of them, but merely as his particular opinion, that they might not mistake his silence for approbation, as people keenly engaged on a side are sometimes apt to do. Tho' he did not then understand the meaning of this message, what he learnt a considerable time after, explained it entirely. Having discovered that we had not yet written to our Chancellor on the subject of the Union, but were determined to do it, and despairing of any further communication from us, which could be of importance to them, they resolved to be before-hand with us, and to write to his Lordship their representation of the whole affair. This we did not discover, till we had accounts of it from London. Their reason for sending the card above mentioned to the Principal appears now to have been, that they might not seem to be in a treaty with us about reciprocal communication, when they took this step without our privity. They had certainly, however, outwitted us. We avowed what we intended to do, but had not yet done. They having drawn from us this discovery of our intentions, carefully concealed their own, whilst they endeavoured to produce in his Lordship a prepossession in their favour against us. But we do not hesitate to acknowledge that we are not matches for them in this kind of policy. Was it to be wondered that after this discovery, we should, agreeably to their own example, be more anxious to conceal our measures than formerly, from those who wanted to know them, only that



that they might render them ineffectual? And let it be observed, that it is only from this time, that the concealment with which we are justly chargeable, must be dated.

To say the truth, after what had passed at the annual Meeting, their applying to us that we would transmit nothing which had not their approbation, or even that we would communicate to them whatever letters we should write on the subject, appeared to us in a ludicrous light. They had declared expressly over and over, that they would have no concert or conference with us on the subject, and within a few days they come to acquaint us, that they were nevertheless desirous that we should not advance a single step without their consent, or if we would not agree to this, that they should know at least whatever we did, or meant to do in that matter, and would take it very unkindly, if we did not tell them every thing. We hoped, on their bare mention of Union to us, that they had relented, and were willing to confer with us in an easy manner on the points whereon we might differ. But we soon saw our mistake. War they had already declared against us, if we would not abandon the project; and in this disposition they were inflexible. But as soon as they perceive that we are preparing to meet them in the field, they send us an embassy, such as was never sent from one hostile army to another, not with a view to offer terms of peace, or to ask a parley for an amicable adjustment of differences, but to signify that before any engagement, they expect we will be so civil as to submit our plan of operations to their judgment, and reject whatever they do not approve; for in this manner, say they, the Colleges conducted matters formerly; (that is, when they were confederates and allies, had the same views, and were engaged on the same side:) or if we will be so unreasonable as not be directed by their opinion, that we will at least acquaint them with the whole plan, that they may know what measures to take for defeating us.

Such was the modest application that was made to the Marischal College, about the communication of their letters; how differently the Memorialists have represented it, let the world judge. It is exceedingly disagreeable to us, to be obliged flatly to contradict what has been affirmed in so public a manner, with so much confidence, and by persons for whom we have always had the greatest regard. But the Members of Marischal College find it necessary in their own vindication to make their friends acquainted with the truth, stripped of all the disguises in which their opponents have attempted to involve it. It is but too plainly the aim of the Memorial to perplex and confound; and there needs no more for answering it, as far as regards the historical part, than to unravel and explain. It would be the merest drudgery to go over the whole with this view. I have already given a pretty good specimen of the misrepresentations of fact; I shall now briefly consider in an instance or two, the use they have made of these, and the curious manner in which things totally different are jumbled and confounded in their reasonings.

In the paragraph which begins near the top of p. 4.\* we find the grounds of the charge of bad treatment against the Marischal College brought together, that they may be under the reader's view at one glance. It gives us no little satisfaction to discover that these grounds, abstracting from what is impossible in them, are no other than those allegations which we have shown above to have no foundation in truth. I say, abstracting from what is impossible, for surely it will be allowed to be of this kind, that a proposal suggested in conversation, (I shall suppose) at London, should be communicated to the Professors of King's College Aberdeen, as soon as it is made. But passing this as an oversight, they add "to agitate it" (to wit, the project of Union) "so many months." It has been shown above, that it was never before any meeting of Marischal College but one, previous to the annual meeting of both Colleges, and that they gave it no further agitation, if that can be called *agitating it*, than to determine with one voice that the members of King's College should be acquainted with it as soon as possible.—It deserves notice also, that that meeting of Marischal College was not fully one month before the annual meeting. If there was any error as yet committed, it was the error of one individual, and not of the Marischal College: It was, besides, a very natural error in the gentleman with whom they say it originated, to impart it to a meeting of Marischal College, the College to which he belongs, before it was communicated to King's College. This is acknowledged to be a fact, one of the very few contained in the Memorial. And if it was a fault, we submit it freely to the impartial public, whether it was of so unpardonable a nature, as our opponents represent it. They add, "to take so many and so important steps." Not a single step but the resolution to communicate the matter to King's College, was taken before the annual meeting. Again, "in concert with one" "or at most two of our colleagues." It is impossible to please those who are resolved to be offended. The clamour was raised at first because a few of Marischal College presumed to hold conversations together on such a scheme, without communicating it to any of King's College: and no sooner did they learn that a few of King's College had been conversed with by a few of Marischal College, than this very circumstance heightened the offence, as has been observed above, "with studied concealment from us." The studied concealment has been shown to be either a piece of gross misinformation, or the fiction of their own jealousy. All the concealment we have studied is of a later date, and not till they gave us the example. They proceed, "The resolution to conceal every thing from every one of us, till the annual meeting, appeared as soon as we heard of it, very like a design to take us by surprise and unprepared."

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\* See p. 10. line 19. of this Collection.



But pray, Gentlemen, if ye really heard it, from whom did ye hear it? It behoveth you to provide an answer to this question. We are entitled to require it. The public, after what has been said, will expect it. And ye will find it incumbent on you, for your own sakes, much more than for ours, to communicate the channel of your intelligence. As to the argument itself, we may with much greater energy retort, if the resolution to conceal every thing from you would have appeared very like an insidious design to take you by surprise; surely the contrary resolution of that very meeting to which the matter was first communicated, to impart it to all of you without loss of time, was a clear indication that we meant to deal honourably and openly with you.

The conclusion of the paragraph is an excellent example of the writer's talent in darkening and perplexing a plain subject. "When even at that meeting we could not obtain a full and fair account of every thing that had been *already* done, to have agreed to conferences about what *further* should be done, would have been to run headlong into a scheme which we were not permitted fully to understand." That it is much easier to entangle than to extricate, the foregoing sentence sufficiently shows. What it is that is here called *a scheme*, I am utterly at a loss to conceive. No plan of Union had yet been devised, and consequently no step could have been taken in the execution of a plan not in existence. What had passed previously to that meeting, was merely some conversations tending to show, that if a plan were prepared which appeared calculated to promote the interests of literature in the North of Scotland, it would meet with great encouragement and patronage from some persons of eminent rank. But no particular plan had been prepared or talked of by those who had a share in such conversations; the Outlines had not yet been written by us. Whilst we entertained any hopes of the concurrence of the gentlemen of King's College, we cautiously avoided taking a single step. In regard to those previous conversations, to know something of them might serve as encouragement to excite both societies to join in forming a plan, but could not be of the smallest conceivable utility in assisting them to understand the plan to be prepared. What could be of any service as a motive, and even more, was told them, much more than the Members of Marischal College knew, or had ever thought of asking. But by this additional knowledge, for aught we can discover, we are neither better nor worse qualified for understanding the scheme now proposed, or any other scheme that may hereafter be proposed. No two things can be more distinct than those here confounded. Were the public to be informed minutely of all the conversations alluded to, and also of all the altercation that has passed between the Colleges on the subject, would this information throw one ray of light on the Outlines of the plan before them? But how it should have been in our power, had we been ever so much disposed, to hinder them from understanding a scheme, which they themselves were to be employed along with us in preparing, seems to exceed all human comprehension.

I shall add another instance of this author's controversial talent, in dextrously shifting the question, by substituting one thing for another. It is in the very next sentence. "Against one particular step already concerted, an application for a Royal Visitation, of the first proposer of which they refused to inform us, we did indeed peremptorily declare; but were so far from *declining giving an explanation of our reasons*, that we did then assign several reasons, tho' perhaps not all which might with propriety have been assigned." The words marked with Italics are quoted from the Outlines, and are here introduced in such a manner, as implies, that we had charged them with declining to give their reasons against applying for a Visitation. No person of common understanding, who reads the sentence in the Outlines, after reading the short paragraph which precedes it, can so strangely misapprehend the meaning. Those who objected to entering into conference with us in regard to the most proper scheme of Union, are manifestly those who are said to have *declined giving an explanation of their reasons*. As to reasons for applying for a Visitation, there was not at that time the smallest occasion for them; yet, even then, we perceived in them the strongest propensity to pervert every word spoken by us in favour of Union, as tho' it had been used as an argument for applying for a Visitation. It was in vain that we told them again and again, that such an application was so far from being a favourite measure of ours, that we had never given it our approbation: and that the very cause for which we so warmly urged a recourse to conferences, was that there might not be a shadow of reason for recurring to a measure so much dreaded by them, and so little to our liking as a Visitation then was. We remember well, they would have stunned us with arguments against a Visitation, had we been disposed to listen to them: We told them repeatedly, that it was in vain to argue where there was no opponent: We desired a visitation no more than they did; we desired to adjust amicably with them a Plan of Union, and would readily admit, that nothing but necessity could excuse a recourse to such an expedient as Visitation. That they declined giving an explanation of their reasons for refusing to hearken to this request, is what we then asserted, and still assert. The only answer made by them, when urged upon this article, was, that the mention of a Visitation had rendered their conferring further on the subject improper. It was this, assigned as a reason, which we called mysterious. Of its validity, the public will judge.

It is not an uncommon art with professed disputants, to introduce a favourite sentiment, at first as a  
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plausible



plausible conjecture : when they recur to it a second time, it becomes extremely probable ; and at last, it is affirmed to be morally certain, or a thing already demonstrated. This method has a wonderful effect in drawing in superficial readers, who remember in general, that the thing was mentioned before, and trust implicitly to the writer, as to what was said or done concerning it. There is a species of gradation, or amplification, (should I rather call it ?) used by this writer, which, if not the same, is near akin to the aforesaid artifice in disputation. When he first mentions applying to the Crown for a Visitation, (p. 3.)\* it is only as a thing which had been *proposed* to one of us, and now (p. 4.)† in the passage last quoted, it is *a step already concerted by us*, not one but all. The first indeed had been admitted, that the thing was proposed or rather mentioned to one of us, and therefore required no proof. On the credit of this concession, when the subject is resumed, the word *concerted* is slid into the place of *proposed*, and by the construction of the sentence, the word is made to refer to the whole collectively, and not to one individual only. The reader (unless very attentive) thinks he reads only a repetition of what was before either acknowledged or proved, when, in fact, what he reads is widely different. For in regard to the Society, such a thing had never been *proposed* to them, far less *concerted* by them. Yet this flagrant misrepresentation is confidently asserted over again, in a paper called the Information from the Principal, &c. of King's College. In the Information, indeed, an authority is alledged, no less than that of one of our members. But let it be observed, that the Member they allude to, had been absent from the only College Meeting to which the project of uniting the Colleges had been mentioned, previous to the annual Meeting, and that, at the time, he knew not a syllable of what had past amongst his Colleagues, as is admitted in the Memorial itself. Let it be observed further, that tho' he owns he mentioned it as a possible expedient for surmounting difficulties, he neither did, nor could have mentioned it as a step concerted or resolved on by the Society.

I add another instance, (the only other I shall at this time mention) of this Legerdemain in arguing, *the shifting of the object*, by bringing you ere you are aware, to conclude that as true of one thing, which was proved or granted only of another. It was admitted that one or two of each College had conversed together on the subject of union. The one or two of Marischal College quickly become the Marischal College ; the one or two of King's College remain one or two still. Hence arises a charge against Marischal College, that they entered into a concert with one or two of the other College, with studied concealment from the rest, not one word of which is agreeable to truth. The Marischal College had never entered into a concert with any of the Members of King's College. The greater part of us knew nothing of those private conversations, till we were informed at the annual Meeting. Further, the writer, not satisfied with making the act of one or two the act of the whole Society, thinks, now he has made sufficient preparation for going one step higher, to complete the climax, and saying that they themselves avowed it as theirs. " We told them," says he, " without any reserve, that our only College," (there were more than one from the first) " with whom THEY AVOWED their having all along acted in concert," &c. I cannot help admiring the boldness (tho' a more apposite word than *boldness* might be found) of this allegation ! Who avowed it ? Sir, recollect I pray you. Did all of the Marischal College present, in a body, avow it ? Or did any one avow it in their name ? I was present, and I am certain, that I neither avowed it, nor heard it avowed of the College by any body : And every one of my Colleagues can say as much. All that was in reality avowed, was no more a foundation for so extravagant an assertion, than it would have been for saying, that King's College had, in this matter, all along avowedly acted in concert with one or two of our Colleagues. It is solely since the annual Meeting, that there has arisen any thing which they could denominate a combination between any of their Colleagues and us.

Nothing is more certain, than that we never interested ourselves in their internal differences ; and, if they themselves had not introduced the matter, the greater part of us had to this day known nothing about them. Whether the Principal, and the six Professors, who concur with him in opposing the projected Union, be properly what they style themselves, The University and King's College, or even be a majority of that learned body, are questions, in the opinion of many, not worth spending half a minute's time in examining. Truth and right are not to be ascertained by names and numbers. And we must be permitted to add, that the conduct with regard to us which has been adopted on this occasion, particularly the ill-grounded clamour which has, with so much assiduity, been raised and propagated against us, the polemic arts which have been displayed, but above all, the freedoms which have been taken with truth, do not serve to give us a very favourable impression of their side of the question, though the majority, in those differences. We see but too well, from our own experience, what lengths they can go, and what means they can employ, when they are keenly engaged in a cause. At the same time, it is but equitable to add, that all the seven are not involved alike in this charge with regard to us. Some of them had little, and some perhaps no opportunity of knowing the greater part of the facts here mentioned : the worst whereof we can accuse these, is their being of too easy faith in persons who, in our judgment, have not entirely merited the implicit confidence reposed in them. And even for the

writer

\* p. 9. line 45. of this Collection.

† p. 10. line 31.



writer of the Memorial, or writers, if there were more than one, we are willing to make this apology, that in the most subtle and intelligent persons, the understanding is sometimes the dupe of the passions; insomuch that even an acute man may not perceive that sophistry in his own reasoning, or those misrepresentations and misconstructions in his own narrative, which an unbiassed reader of inferior talents will discover.

I have now given as ample a specimen of the failures of that performance, in respect both of fact and of argument, as may suffice, I hope, to vindicate us the members of Marischal College from the imputations, which have been by the Memorialists thrown upon us. I have shown the falsity of all the principal facts they allege as the foundation of their charge against us: and as to some of their allegations, I have shown that the truth was the reverse of what they have represented to the world. As their accusation relates chiefly to what passed before hostilities in the present literary war commenced between the parties, I have confined myself to that period. Many more handles for remark might be found in the Memorial; but the task is disagreeable, and, in my opinion, unnecessary. Judicious and impartial people, tho' misled at first by their misrepresentations, they have been disposed to blame us, have at the same time acknowledged that the whole offence taken by our neighbours appears to have arisen from a misjudging pride, a jealous and childish pettishness, because in the management of the business respect enough had not been paid them. This construction is very natural in strangers who do not know the Gentlemen. Others, even from the account of matters in the Memorial, have been disposed to suspect that the pet was more affected than real, and that some pretext was wanted for so sudden a change in their conduct, from patronizing to opposing every attempt at Union with all their might. This must have appeared to them the more necessary, as for some time they affected to be of the same sentiments as formerly. This affectation, however, seems now to be totally laid aside; and, I must acknowledge, they move our compassion not a little, when we find them recurring to the old arguments which on former occasions had been employed against them, and which some of us have seen them treat with the utmost contempt and ridicule of which they were capable. They are conscious that we know this, and must feel themselves in a very awkward situation when compelled to fly to such topics. But it is time to have done. I am afraid, Sir, I have already exhausted your patience.

When the subject is, on one hand, such an imputation as would have been highly criminal, if true; and on the other a charge of false accusation, it is difficult for persons of any sensibility to preserve that dispassionate manner in which men of liberal minds always manage disputes on speculative questions, or such as concern the fitness of means to the end. And therefore of all disputes we ought most carefully to avoid protracting without necessity those that are of a personal nature.

In regard to the more pleasant task, the vindication of the plan itself, ample justice has been already done to it by others. And of late the sum of the argument, detached from the altercation of parties, has been prepared by one of the friends of Union, who, for refuting objections, as well as supporting the scheme with solid arguments, has left nothing further to be wished. I am, &c.

## No. XII.

ANSWER for the University and King's College of Aberdeen, from Doctor John Chalmers, Principal; Doctor Alexander Gerard, Professor of Divinity; Doctor William Thom, Professor of Laws; Doctor William Chalmers, Professor of Medicine; Mr Roderick Macleod, Sub-principal; Mr John Leslie, Professor of Greek; and Mr Thomas Gordon, Professor of Philosophy; to a "Defence of the Conduct of Marischal College, in Relation to the present Scheme of Union, &c. By a Member of Marischal College." Addressed to that Member.

WE are so little desirous of protracting the present dispute with the Marischal College, into which they have forced us by their design of compelling an Union, that publications by us should have been at an end, if what you call a DEFENCE of the Conduct of that College, and which has been so widely and so industriously circulated, had not been really a *direct personal attack* on the reputation of some of us, especially one individual, whom you have marked so unequivocally, that you might, with equal delicacy, have given his name. In making such an attack, you, Sir, ought certainly to have given your own name, that it might be known which Member of the Marischal College is answerable for it. You all along point out the same person as the Author of our Memorial, speak of the rest as giving too implicit credit to him, and are pleased to pay some compliments to some of us: but we assure you, that we are all incapable of relishing any compliments offered at the expence of another, and avow that Paper as the *Memorial of us all*.

In



In it we had asserted what is perfectly remembered by all of us who were then in office, that when an Union was last in agitation, "A letter to the Marischal College from their Chancellor, the Earl of Bute, was read; and it appearing to be an answer to one written by them to his Lordship, and that seemingly in the name of both Colleges, fault was found with their having written, without the privity of the other College, on a matter in which both were equally interested, and it was demanded that their letter should be communicated, but this was positively refused." It was naturally introduced, as showing that the separate and concealed manner in which the present project was begun, was wholly of a piece with that which determined us all to drop any further prosecution of the former scheme. From this, you take occasion to begin your invective against him whom you call the Author of the Memorial; you affirm, "That he was then a Member of the Marischal College, and knows what they did as well as any man;" call upon him to "speak out what he knows," and infer that "if every Member of the Marischal College gave a refusal, the charge must extend to him." He has no difficulty in speaking out, and he has full evidence of the truth of what he says. He was not a Member of the Marischal College, either when that letter was written, or when the communication of it was demanded: nor did he ever see it. He had been admitted in King's College, June 19, 1771; his resignation of his former office, of date the day before, stands in the records of the Marischal College: and the meeting at which the letter was demanded, we believed, from our recollection, when the precise date seemed not material, to have been in December thereafter, and find was really in January following. At this meeting, he joined with his Colleagues in demanding the letter, and in condemning the refusal to produce it.

Some days before that meeting, your Chancellor's letter was sent over by your Principal to the Principal of King's College, with a card, desiring to know what answer should be returned to it. In consequence of that card, the Principal of King's College called together his Colleagues, and, at their desire, intimated, that we were willing to meet with the Members of the other College, but could say nothing of answering the letter from their Chancellor, till we saw the letter from them to which it was an answer. Notwithstanding this intimation, that letter, it seems, was not brought to the meeting; and there the communication of it was positively refused by *the several* Members of the Marischal College, and a great deal was said in order to shew that it was not necessary for us to see it.

We have said, that the letter from the Marischal College to their Chancellor, was "*seemingly* in the name of both Colleges." You take it for granted that this means, signed by the Principal of that College in name of both; and argue wholly on that supposition; a supposition which we think sufficiently guarded against by what we add, "written without the privity of the other College, on a matter in which both were equally interested." But the plain fact will shew, that, without any such supposition, we had good reason for what we said. His Lordship's letter excused his delay in answering, by the enquiries which he had been making, in the interval, concerning the manner of bringing into Parliament a Bill for Uniting the Colleges; it gave intimation, that only six weeks from the date of it (January 9, 1772) would be allowed for private bills; and it advised our being ready by the beginning of February, about a fortnight after his answer could be received. It then appeared, and still appears, inconceivable to us, that his Lordship would have written in this manner, if he had not been led, by your letter to him, to think that matters were agreed between the parties, and therefore we naturally concluded this to have been the case. If it was so, your College must have taken upon them to signify the sentiments of the King's College, without consulting them, as well as their own; nay, what is still more extraordinary, must have taken upon them to signify these sentiments before they were delivered, for the Plan of Union prepared by the Committees for a general discussion, had never yet been taken into consideration, either by a Meeting of King's College, or by a conjunct Meeting of both Colleges. A letter of such a strain was widely different from those (by which you attempt to excuse it) written by each Society to their own Chancellor, only begging his countenance, *after* a Plan should be concerted; and it clearly required the authority of both. If it was not of this strain, the production of a copy of it was the obvious way to show it; the refusal, whatever was the reason of it, cannot be accounted for, either from the place of meeting, or from none of you thinking it of consequence, into which you wish to resolve it, for you had previous notice that we required a communication of it, and that refusal convinced us that our idea of its contents was just. This certainly put an *end* to that scheme for an Union; it was only by beginning a new scheme, that an Union could be again brought into the field.

You observe truly, that "we can say nothing but by information," of what was done in relation to an Union, previous to the design being communicated to us. We always supposed that the public could not but understand us as doing so, and see that on every point, except its being communicated in confidence to some persons unconnected with either College, it must have been derived from you or your associates. Except two particulars, it was the very information which we were able to pick up at the annual meeting, by means of our questions, none of which related to any thing besides the measures which had been proposed or taken in order to that Union in which we and our University were most deeply interested: and whatever *related to this*, we are clear that we had the best right to be informed of;

nor



nor can we conceive how the most delicate mind could possibly be hurt, in giving the readiest and the fullest information, unless he knew that it contained something with which we had reason to be displeased. If that part of our narration be not precise, it is the fault of our informers; if it be guarded by alternatives, it only shews our scrupulous care not to go beyond our information. That it is strictly conformable to the information which we then received, all of us who were then present know and affirm: nor can we perceive that you contradict it, except that you dispute, whether what had past before that time, could be called, beginning a Scheme of Union; and that, in opposition to what we say of the design being communicated to the *members* of your College, you assert that it was not communicated *to the College*, that it was not *formally imparted to the Society*, that they were not then informed of it in their *Collegiate capacity*, as if our expression were equivalent to these.

One of the particulars which we have above excepted, is, that a "Royal Visitation has been proposed, and a Visitor named." This rests not altogether on the information which we were able to obtain at the general meeting, but partly on that given four days before, by a member of Marischal College, to one of us, who affirms, That having called for that member of the Marischal College, in consequence of a message left for him, he was asked by him, if he had heard (or what he thought) of Mr Copland's operations, (or some such word); he supposed that member to mean some new piece of Machinery, (so perfectly was any thing relating to an Union out of his thoughts) and spoke accordingly. That Gentleman then explained himself, that he meant the Union, and said that their Chancellor approved of it, and was to procure a Visitation; that he had already settled the matter with the ministry, and that his brother, Mr Stuart M'Kenzie, was to be the Visitor. Of this measure he expressed his disapprobation in very strong terms, and declared that he would oppose it as much as lay in his power; on which the other indeed said, that, if we so much disapproved the Visitation, it might be left out. How this could be, when matters had gone so far, was not explained. After this; especially when we had likewise heard a Visitation acknowledged, at the annual meeting, as part of the conference at London with your Chancellor, and by none of you condemned or disclaimed as improper, but endeavours used to divert the conversation from it; and when we had been told, tho' not till that meeting was over, that both the Visitation and the Visitor had been already mentioned in confidence to extraneous persons, it cannot certainly appear surprising, that in writing our memorial, we should have considered this measure as *concerted* before the annual meeting in September. You say, it was spoken of "*not as a step in the procedure for effecting an Union, but only as one method of surmounting difficulties otherwise insuperable, in case they should occur:*" the distinction is nice, and it will appear to be clearly *without a difference*, when it is but recollected, that one at least of the *difficulties* to be surmounted was the known fixed judgment of two members of King's College, against any Union whatever: (if our having called them *a few* needs any apology, you will find one which should satisfy you, in page 4. line 53. of your own *Outlines*).

The other particular, which was not picked up at the annual meeting, relates to what we had called a resolution of the Marischal College, "*not to mention the subject to any of us till the annual meeting.*" You shall have the fact as it really stands. When one of us, the person whom you have been pleased to single out as the peculiar subject of your accusations, waited on the Principal of the Marischal College, they had a good deal of conversation concerning a Visitation, an Union, the first intimation, just now mentioned, of both to one of our number, and some other circumstances belonging to an Union. In the course of this conversation, the Principal mentioned the resolution formed by the Marischal College, and the communication made by the absent member; but, that other person says, without any thing either in the immediate connection, or in the terms in which it was mentioned, that could lead him to restrict it to any single circumstance, or to a Visitation more than to any other circumstance, that had been the subject of conversation. In this situation he owns, that he certainly understood the resolution as relating to the Union in general, and from that moment till his reading your *Defence*, never had a thought of a different meaning; and if he mistook, it was undesignedly, and he must think unavoidably, except he could have divined the Principal's thoughts. Both parties will no doubt regret that there was no witness; but this being unluckily the case, the above account of the matter must rest on the authority of the one party; and if the Principal shall say in contradiction to it, that he explicitly restricted the resolution to a *Visitation*, this must likewise rest on his authority, without any means of determining between the two: if he shall not say so, the matter resolves itself into an undesigned inexplicitness on one side, and a misapprehension, in consequence of that inevitable, on the other. You assure us, that that meeting resolved to give information of the proposed Union to all of us, and that most of those present undertook to open the matter to some or other of us: on which we cannot help observing, how negligently the resolution was executed: for to four of us, at least, the remotest hint on the subject was not given by any one member of the Marischal College. What we had said, and all that we had said, of the resolution, as understood by us, was, that it looked like a design *to take us by surprise and unprepared*; but this negligence plainly *tended* to the same effect, and showed *no anxiety to prevent it*. You acknowledge, page 53. that that meeting agreed, not to mention a Visitation. You seem, however, to have forgotten this, when, speaking of our account of



our conduct at the annual meeting subsequent to that, you say, p. 60. l. 13, 14. "In regard to the society, such a thing had never been *proposed* to them, far less *concerted* by them." But that acknowledged agreement implies that, little as you were acquainted with a Visitation, or had examined all its consequences, you knew or suspected, without any information of our sentiments concerning it, that there was something in it which would disgust us: and as we knew, and, we hope, have by this time proved, that *a Visitation as connected with an Union, and for adjusting a plan of Union*, is, tho' in every light improper, of the most important consequence to all parties concerned, we neither then could, nor still can consider the concealment of it from us, as any "indication that you meant to deal honourably and openly with us."

We pass over your laboured gloss on what passed at the annual meeting, only desiring the reader to compare it with our Memorial, that he may perceive whether you really set aside the facts, or only put a face upon them: and proceed to the contradiction which you give, p. 56, l. 61. to our assertion that, "the gentleman, who had brought forward the scheme, said to two of us, that he thought it reasonable any letter to your Chancellor on that subject should be communicated to us, but could not answer for the society." This circumstance appears to us to be in itself of little consequence on either side, nor could we have had any motive to misrepresent it; on the contrary, we thought it did credit to that Gentleman's candour, and we mentioned it with that view. But, since it is denied, the person whom you are so anxious to accuse on every occasion, cannot but reckon it fortunate, that the assertion rests not on his sole authority, but likewise on that of the Gentleman who was along with him, the person whose testimony you, in that same p. l. 54. own to be every way "so unexceptionable." This Gentleman concurs in affirming, that the person whom they addressed answered in "the general terms" and in the very words, "employed in our Memorial," and these two Gentlemen communicated this answer to us on returning from that interview. Neither of them remembers the answer which is now given in your Defence, "that, in his opinion, no letter *affecting our rights and interests* ought to be written without our knowledge, and that neither he nor, to the best of his knowledge, any of his Colleagues would think of writing what, in their opinion, could have such a tendency:" nor can we see how it would have been an apposite answer to our request, unless he had first convinced these two Gentlemen, that our rights and interests were no-ways connected with the subject of an Union, to which subject alone our request referred. Without this, it would have tended to make these Gentlemen believe, that a letter concerning the Union ought in his opinion to be communicated to us, while it was meant only, that a letter concerning the Union did not, in the opinion of himself and his Colleagues, affect our rights and interests.

Your next paragraph relates to the proposals made by one of us to your Principal. Neither he nor any of us will dispute with you about the precise terms in which the proposals were made, but only observe that they were all confined to such letter as you might write to your Chancellor, *relating to the Union, and to what had passed concerning it*. When this is taken in, the first of them, as stated by yourself, *that the Marischal College should send no letter to their Chancellor, which the King's College had not previously seen and approved*, cannot appear very different from a *joint Memorial by parties*; which is not uncommon, nor has ever been reckoned either ridiculous or improper. What you mention as the third, was made by the proposer in his own name, with a declaration that it was so, and that he could not say, whether compliance with it would satisfy his Colleagues. Soon after he reported to us all, the proposals he had made, together with the Principal's answers, to the very same purpose as you have given them. We all agreed, that nothing less than the communication to us of such letter as should be written by your College, contained in the second proposal, ought to satisfy us so as to prevent our sending our representation of the matter to the noble person to whom yours was to be addressed. You will not say, that the Principal's answer gave us assurance of the communication, nor so much as reason to expect it, but the contrary, and therefore we considered it as a *refusal*, and in our Memorial, where we thought it unnecessary to enter into this detail, we called it (we all still think with reason) by that name. If the card sent to the Principal called "his offer to lay our demand before the society, and to send their answer," something *proposed by him*, we cannot see the great impropriety of the expression. We believe it is the first time, that one party's desiring communication with the other, in order to prevent any misunderstanding concerning the information to be given; and after they had no ground to hope for such communication, their giving their own representation of the case, was ever painted in such colours, as you (pages 57, 58.) endeavour to put upon our conduct.

Our deductions from the facts we willingly leave the reader to compare with your long examination of them; not doubting that his discernment will enable him to see, that the mode of proceeding is as real a part of a *scheme* of Union, as abstract articles of a plan, to which last you wish (page 59.) to confine the word; to see that our Memorial speaks of a Visitation as *proposed* at one period (p. 9.) and as *concerted* at a posterior period, (p. 10.) whereas the force of your argument (p. 60.) depends on both referring to the same period; and to perceive that *any* members of the Marischal College then present, avowing the having acted in concert with some of ours as there described, is all that the words of our Memorial, (p. 9.) necessarily



cessarily imply, or that was requisite for our argument, and that we are therefore innocent of the *legerdemain* with which you charge us, (p. 60.)

We cannot be of opinion that your Defence amounts to a proof of the present project for an Union having been begun with that openness towards the members of King's College, which, in a matter so deeply affecting its privileges and interests, they had a right to expect; and to which every person and every society is, in such a case, fairly entitled from every other. It was by a method perfectly the reverse that the Union of the Colleges at St. Andrews was accomplished, and that the Union of our Colleges was attempted in 1754: and all the private conversations and discussions in 1770, to which you oftener than once refer, must certainly appear very different from those conferences with persons of rank and influence concerning, not an Union only, but measures for over-ruling, if necessary, such members as should think themselves obliged to oppose it, which have taken place in the present instance.

You seem to be sensible, that you have not entirely preserved a *dispassionate manner*: a very soft expression for the spirit in which your *letter* is written. We feel, and we hope have shewn, that consciousness of innocence, joined to something of good temper, can preserve men calm under very great provocations. But we acknowledge, that the warmth which you and some of your associates have indulged, cannot produce in us any inclination to be united into one society with you: and we cannot doubt but it will convince most impartial persons, that an Union, in the present state of things, could not be conducive to the peace and harmony of the society, or to the interests of good education.

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Since the above was written, you have republished part of your *Defence* in the Aberdeen Journal, with an alteration in that particular (page 51.) which regards your Chancellor's letter; and have annexed a *note* acknowledging, that you was mistaken in affirming the person whom you call the Author of our Memorial, to have been a member of the Marischal College, when the letter to which that is an answer was written. The mere *mistake* as to the time, we should have thought not worth a remark. But on this mistake, purely your own, you have built a charge against an individual, of conduct which, if it had been real, would have been base; it was only after it was known, that he had to many contradicted the *fact*, that you thought proper to enquire into it, tho' you own that you had the easiest access to the means of ascertaining it; before that time you had spread the calumny far and wide, farther than you can be sure that your retraction will reach; even then, you offer no apology to him for having groundlessly spread it; on the contrary, in the very correction of it, you couch insinuations that he is somehow or other blameable in that matter, though you cannot tell how; you coolly observe what amounts only to this, that your original charge would have been just, if it had not rested on a matter of fact which did not exist; nay, you excuse your mistake, from our Memorial having, in speaking of what we then thought had happened in December, called the winter which certainly began in 1771, winter 1771, when we did not dream that any thing material could depend on the precise date, nor drew any sort of inference from it; and on this handle you renew a *general* assertion of mistakes in our Memorial. If all this can satisfy *yourself* for the charge, now owned to be groundless, which you had brought against that individual, we believe it will lead most others to suspect that, severe to others, you are very indulgent to yourself. We repeat it, that you ought to have given your *name*. But henceforth we shall consider ourselves as at liberty to *despise* whatever is published against us, or any of us, without the author or authors being ascertained, and as entitled to expect, that no candid or impartial person will pay any regard to it. When you, however, reflect, that part of your accusation against one of our number, is already discovered by yourself to have rested on your mistake of a point of fact, and perceive in how small a degree he is peculiarly concerned in what is the subject of the rest of it, we cannot but think that it becomes you, for your own sake, to consider how you can best make him reparation for your attack.



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A N  
E S T I M A T E  
O F T H E  
EXPEDIENCY, JUSTICE, AND LEGALITY,  
O F T H E  
P L A N  
PROPOSED BY THE MARISCHAL COLLEGE OF ABERDEEN,  
F O R A N  
UNION of it with the University and King's College.

*By the Principal and Professors of the University and King's College of Aberdeen.*

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**I**T has been suggested to us by many very respectable persons, that the manner in which the proposal for an Union of the King's and Marischal Colleges was brought forward, has necessarily laid us under great disadvantages for making the full force of our arguments against it, obvious to the public at large. They acknowledge that, not only the unfairness of the several methods by which it has been carried on, and the unfitness of the measure of a Royal Visitation for forcing it on this College; but likewise the inutility and manifold improprieties of the Plan of Union proposed in the *Outlines*, must appear clearly proved to every impartial person, who attentively examines our *Memorial*, *Information*, and *Answer*. But they observe at the same time, that by our having been obliged to act on the defensive, to follow the secret motions of our opponents, and to ward off the attacks which they successively made upon us, we have been prevented from giving a regular view of the strength of our cause; and therefore they wish for a full and connected state of the question concerning an Union of the Colleges, abstracted, as much as possible, from the extraneous and incidental circumstances which have intermixt themselves with the present scheme for effectuating it. By a repetition of such suggestions, we have been prevailed upon to undertake the following discussion.

In every civilized country, care has been taken to make ample provision for the diffusion of knowledge, by founding seminaries for education, particularly Colleges and Universities. In England, though there be only two Universities, the provision is very ample, by means of the many Colleges and Halls, in all *forty one*, erected within the Universities; as well as of Colleges for various purposes of literature, unconnected with the Universities.

What was the state of Scotland, in respect of seminaries for education, previous to the 15th century, it is not necessary, nor perhaps easy, to ascertain with precision. But it is certain that in 1411 an University was founded at St. Andrews, the See of the Metropolitan; within which three Colleges, one for Theology, and two for the other arts and sciences, were afterwards in course of time erected.

This was the only University in Scotland till 1450, when a second University was founded at Glasgow; within which only one College has been erected.

By these Universities provision was made for education in the southern parts; but they could be of little benefit to the northern parts, the highlands, and islands of Scotland, on account of their distance from  
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both Universities, and the difficulty of access to them. For the sake of that large tract of country, and with an express design to remove the ignorance which continued to prevail in it, King James IV. erected the city of Old Aberdeen, the seat of the Bishop, into an University, in 1494; and within this third University, Bp. Elphinston, by authority from that King, soon after founded and endowed a College, called first St. Mary's, and afterwards the King's College.

These three Universities, including within them five Colleges, were reckoned sufficient for education in learning, till the Reformation of Religion took place in Scotland. But this event brought along with it a laudable zeal for promoting useful knowledge, which shewed itself in the care of the King and Parliament, not only to increase the revenues of the three Universities, and to purge them from such particulars in their statutes, as favoured popery, but likewise to multiply seminaries of learning. In consequence of this, a fourth University was, in 1580, founded at Edinburgh, by King James VI. and confirmed by Parliament.

Not satisfied with this, they who had embraced the reformed religion judged it proper, for diffusing more generally the fundamental parts of education, that, besides the *Universities*, there should be *Colleges* for teaching languages and the arts, in all the principal towns. Earl Marischal and some others obtained from the Crown, grants of tiends or of the revenues of suppressed monasteries, for the purpose of erecting such Colleges of Arts; and the Marischal College, founded in 1593, in New Aberdeen, is the only one of them which now remains.

A design, several times before thought of, has been lately resumed, for accomplishing an *Union* between the Marischal College, and the University and King's College in Old Aberdeen; and has been the subject of much controversy. An Union of these two societies is a general, and a very vague and undefined idea, concerning which no person can give an opinion in the abstract: to declare for or against an Union in general, is to declare for or against a man knows not what. There may be a mode of Union which is harmless, there may perhaps be a mode of Union which would be proper and advantageous; but it is clear that many modes of Union may be devised, which would be useless, pernicious, and illegal. Before therefore a declaration can be made for an Union, with judgment, with knowledge, or with meaning, it must be ascertained, what the specific Union intended, precisely is in all its particulars. It was on this fair and rational principle, that all former attempts were conducted: but in the present project it has been reversed; an Union is first to be resolved on, and then some plan or other is to be fallen upon, to which all parties are to be obliged by authority to submit, however exceptionable they may reckon the particulars of it. The promoters of the present scheme have all along availed themselves much of continued address in keeping the proposition for an Union vague, and in all their publications avoiding precision and particulars; for by this means they have left every man to form his own conception of the plan and consequences of an Union, and to believe that conception the very thing intended; and have obtained a *seeming* concurrence of persons whose *real* sentiments concerning the most essential particulars, are opposite and absolutely irreconcilable. Many instances of this will occur in the sequel; and the importance of removing this confusion obliges us to enter into an accurate examination of the subject.

An union of two distinct *Universities* into one University, is a measure wholly without a precedent; and therefore would need to proceed upon reasons very strong indeed. But it is not necessary to enlarge on this view of the matter, because we are clear that this is not the present case. For, though delicacy induced us only to give a hint of it in our *Memorial*, the methods employed by our opponents will justify us in explicitly affirming that, in our judgment, there is the fullest evidence that the Marischal College is not an University.

The present proposal can, therefore, be only for uniting the Marischal College, either to the *University* of Aberdeen, or to the *King's College* already existing within that University: and these are two very different points. When an University has been once erected by proper authority, any College founded and legally confirmed within the bounds of that University, becomes of course a part of it. Thus the cities of Oxford and Cambridge having been very anciently erected into Universities, all the numerous Colleges since founded in either of these cities, and legally confirmed, have of course become parts of these Universities: and thus the city of St. Andrews having been erected into an University in 1411, the several Colleges successively founded, St. Salvator's by Archbishop Kennedy in 1456, St. Leonard's by Prior Hepburn, and St. Mary's by Archbishop Beton, when confirmed as Colleges, belonged to the University of St. Andrews, simply by their being built within its limits. In like manner the King's College founded by Bp. Elphinston, and authorised and ratified by King and Parliament, belonged, by means of its very situation, to the University of Aberdeen; and any other Colleges afterwards founded and ratified in the same manner within the city of Old Aberdeen, would of course have equally belonged to the University. But the Marischal College being founded without the University, at a mile's distance in the burgh of New Aberdeen, was necessarily, what it is called in the Act of Parliament confirming it, a *free College*, that is, a College separate from the University; and could be united to the University only by some posterior deed. Such a deed took place in 1641, King Charles the



first's charter uniting *the University of Old Aberdeen and his Majesty's College of the same, and the New College of Aberdeen called the Marischal College*, into one University, to be called King Charles's or the Caroline University. This Charter was occasioned by the Act of Parliament (Act 6. 1640) abolishing Episcopacy in Scotland, whereby the rents of Bishopricks came in his Majesty's hand and at his disposing; and were by him with consent of Parliament (Act 30. 1641) applied to the supply of Ministers serving the cure, Universities, Colleges and Schools, as they should be distributed by Commissioners empowered for that effect. In consequence of this the Earl of Sutherland and other noblemen were commissioned to enquire into the revenues of both these societies; who reported that 500 l. would be necessary for their farther support, particularly that the proper yearly expences of the University and King's College exceeded their revenue by l. 285. 7. 1, and on that report, his Majesty united them, and assigned the University the revenue of the Bishop of Aberdeen, two thirds to the King's College, and one third to the Marischal; and Parliament ratified the gift. (Unprinted Act 169) The effect of this Union was only, that the Members of both were called together at the King's College, for electing a Chancellor, Rector, and other University-officers; that they joined in giving a factory for collecting the Bishop's rents, and in clearing the accounts of them; and that the Marischal College acquired a share in the privileges properly belonging to an University. But the two Colleges remained, like those in the English Universities, distinct, each possessing and managing its own revenue, and pursuing separately the same course of teaching as before. In this state they continued till the restoration, when Act 15. Parl. I. Ch. 2. and Act 1. Sess. 2. rescinding all the Acts of the Parliaments 1640, &c. restoring Episcopacy, and annulling all Acts, Gifts, or Deeds in prejudice of the several Bishopricks, put an end to that Union, and annihilated the object of it: And when Episcopacy was again abolished at the Revolution, the revenue of the Bishoprick was differently applied.

The Union now proposed is of a totally different nature; not an Union merely of the Marischal College to the *University*, but also to the *King's College*. In the English Universities no attempt has ever been made, so far as we know, for uniting together any two of the numerous Colleges which they contain; on the contrary new Colleges continue still to be erected. An Union of two Colleges, St. Saviour's and St. Leonard's, took place at St. Andrews more than forty years ago. They were both Colleges of Arts, each consisting of a Principal, three Professors of Philosophy, a Professor of Greek, and a Professor of Humanity. The students of both these Colleges together had for years been under a hundred, generally not above eighty; and sometimes not above two in a class; for this number two Colleges were plainly unnecessary, and even superfluous. The salaries of the Professors being likewise but about L. 40, these along with so few fees were totally inadequate to the support of men in any measure qualified for the offices. An improvement of their livings was absolutely necessary to the very existence of either College; and, as there was no prospect of it by other means, an Union became indispensable.—At the same time there seemed to be few difficulties in accomplishing it. The two Colleges were situated within a few paces of each other. They were already within the same University. They were, along with St. Mary's College, a Professor of Medicine, and a Professor of Mathematics, alike sharers in the powers and privileges of that University. The correspondent places in each, except one, were in the gift of the same patron, who consequently by the Union had the disposal of one place nearly equal in value to both those which he formerly had: those of both the Principals in the gift of the crown, and those of the Professors of Philosophy and Greek at the disposal of the Colleges. The only case which stood otherwise was compromised by converting one of the Professorships of Humanity into, what the Patron chose, a Professorship of Civil History. The union was notwithstanding seven or eight years in agitation, before the concurrence of all parties in the design and in a particular plan, could be procured; and without perfect *unanimity* they were assured that it could not succeed. At length, not a *majority* (Reply p. 35, 36.) but *all parties* concerned, applied for an act of parliament uniting these two colleges; and on their *unanimous* application it was obtained, though they were informed that opposition from any member of parliament would have effectually prevented it. The United College had the same number of students that was formerly divided between the two; and as yet it has very seldom risen above that number.

When a scheme was formed in 1754 for uniting the King's and Marischal Colleges, there appeared the like necessity for it. The salaries of the Professors of Philosophy and Greek in either College were not above 35l. the fees of their classes scarcely raised their whole livings to 70l. or 80l. those of some of the other Professors were still lower; and only one living above 100l.: and no methods had then been thought of for improving the revenue of either College. An Union was suggested by Archibald Duke of Argyle to the Principal of King's College; on whose communication the members of both Colleges met, and, after obtaining the consent of Patrons in the general design, adjusted all points relating to an Union, except the *seat*: the question concerning which, it was at last agreed by them and the town of Aberdeen, to submit to James Earl of Findlater, who pronounced a decret arbitral fixing the seat, in case an Union should take place, of the united College in New Aberdeen: But with the most earnest recommendation, “ that no application to Parliament be made for an Union of the two Colleges, unless it be  
“ done



“done in the most amicable and harmonious manner, by all parties concerned.” The members of the Kings College,—convinced that the removal of the College from a pleasant, retired, healthful village, favourable to study, and where the students were continually under the eye of their masters and subject to their jurisdiction, to the heart of a large trading town, where they would be exposed to numberless avocations, and where the authority of the masters over them was confined to the walls of the College and the hours of teaching, could not fail to defeat in a great measure the purposes of Education, and encroach on the powers and privileges of the University ;—and knowing it to be contrary to the general opinion and wishes of the country, as well as of the noble Duke who had suggested the design ;—blamed themselves much for having suffered their confidence in the strength of their plea for the seat, to betray them into a reference on that point. (Memorials 1755.) On being required under form of instrument by the Magistrates of Aberdeen and the Marischal College, to comply with the decret arbitral, the members of King’s College gave information to his Grace of what had happened, and asked his advice for their conduct. He was clear that an Union ought not to take place, if the seat was to be in New Aberdeen, that they had acted *ultra vires* in submitting that point, and that for this reason the Decreet could have no effect ; and he assured them that no Act of Union could be brought forward in Parliament, without the unanimous consent and concurrence of all having interest. Their counsel at Edinburgh gave the same opinion ; and we have good reason to believe that the other parties got a similar opinion from lawyers whom they consulted. The consequence was, that the design fell to the ground.

Our former publications have given a sufficient account of the manner in which a new proposal for an Union was brought forward in 1770, and of the occasion of its being abandoned ; and likewise of the methods which have been employed by the Marischal College in introducing and conducting the scheme of Union now in agitation. It is the Plan itself that we propose to examine ; and that—both in point of *Utility*,—and in point of *Right*.

## I.

THE necessary and immediate effect of an Union of the King’s and Marischal Colleges, would be the suppression of one of those Colleges for Philosophy, Mathematics, and Languages, which at present exist in Scotland. This by itself cannot possibly be advantageous, but is evidently detrimental to the public. These are the fundamental branches of education, absolutely necessary not only to all that are intended for the learned professions, but many of them likewise to persons in various lines of active life, and even for enabling a private gentleman to make a respectable figure in his station. There is therefore no part of the public that is not deeply interested in the preservation of a sufficient number of Colleges for instruction in these branches. It was the multiplication of such Colleges which our Reformers were intent upon, and which occasioned the Marischal College and some others to be then superadded to all the Colleges of Arts which already existed in the Universities. By the Union at St. Andrews one such College has been already suppressed ; by the proposed Union at Aberdeen, another would be suppressed ; and thus the number would be reduced one below what was reckoned too small 200 years ago. Yet the population of the country has increased since that time ; the desire of such education is more general, and the objects to which it may be usefully applied in life, are become more numerous ; and, in the words of the Reply, (p. 41.) ‘the importance of education is better understood.’ These circumstances require more, instead of fewer, schools ; and that this is the opinion of the whole kingdom may be fairly concluded from the many private academies which have been lately established in different places, for teaching the branches of science most generally useful.†

It always has been and still is, very universally the opinion of that part of the public who are most interested in the matter, that the vicinity of the two Colleges of Aberdeen is of great advantage, by exciting emulation and securing diligence in the teachers. There has been a general concurrence in the judgement that the removal of this by an Union, would be detrimental to education and to the public.\*

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† This argument has not escaped the discernment of the public. “It appears that it can never tend to the advancement of learning, to suppress Seminaries of learning and reduce the number of teachers ; when, as is the case at present, the number of scholars is increasing, and new Academies for teaching the different branches of science are starting up in different corners of the nation ; which indicates a penury rather than a superfluity of public establishments for the education of youth.” *Presbytery of Tain*. To the same purpose, *Freeholders of Inverness-shire*.

\* “By the proposed Union, there will be a total stop put to emulation between the two Universities, which they apprehend to be the best spur for promoting every establishment.” *Freeholders of Inverness-shire*. To the same purpose, *Presbyteries of Lezies, Sky, Inverness, Tain, Dornoch, Chanonry* : one of which add, “Let us appeal to experience : there is only one teaching Professor in either College, who has not a rival in the other ; and it consists with the knowledge of some of us, that a very few years ago he was in the practice of shortening his session by a fortnight at each end. If one did so, who had no rival, how can the public be assured, that the whole would not act the like part in like circumstances ?” And another, that “as it puts it in the power of the masters to pay a more particular attention to their scholars, so it leaves with parents a choice of sending their children to either College.”



It cannot be pretended that there is no force at all in this argument. It does not suppose the Professors to be actuated only by sordid motives; it only supposes that they are like other men, and that, in a matter of so great importance as education, no *real* motive to exertion ought to be unnecessarily taken away. If improper jealousies may sometimes be the consequence, it can be only with men of illiberal minds; and such men would not be the most sensible to principles of honour, duty, or the love of science, but stand in need of every possible incentive: with men of a different cast, laudable and useful emulation will be the only effect of a competition between the Colleges; and from this, the public can never fail to derive great advantage.

In opposition to this it is urged (Reply p. 43.) that "were this the case, our seminaries ought to surpass in number of students and in reputation, all the other universities in Scotland," and that, "if the fact be otherwise, it may be maintained that our rivalry has done us more harm than service." We deny the conclusion so far as it respects the number of students: the number of inhabitants whose children require education in the large cities of Edinburgh and Glasgow, the populousness of the countries around them, the contiguity of the latter to Ireland, and of the former to England, together with the numberless occasions which call families to reside for the winter in the metropolis, must always give these Universities, as to the number of students, greatly the advantage of Aberdeen: at the same time it is a fact that the students at the two Colleges here, are constantly more than double those at St. Andrews. With respect to reputation; if the reputation of the Professors in point of learning be meant, we are far from wishing to detract from that of the Professors in the other Universities; and shall only observe, that the granting of their superiority will, in confutation of the reasoning of our opponents, help to account for the great number of their students. But we think it nowise unbecoming to say, that the reputation of most of the Professors in the Colleges of Aberdeen for *assiduity and care* in teaching, is acknowledged equal to that of any others; that many of their students have been found as fully instructed both in the sciences and languages as those of any other College in Scotland, have shewn themselves as well qualified for the most important departments, and have filled them with equal honour. When it is considered that the state of the northern counties has always rendered our Sessions short, the proficiency of the students must be imputed chiefly to the diligence of the Masters, and it is far from unreasonable to think that competition contributes in part to that unremitted diligence.\*—It must likewise be observed that other Universities are not really destitute of the incentive of rivalry. In Edinburgh there are and long have been many private academies and teachers in every branch of education, except perhaps Theology alone, which may serve for the instruction of all whose views require not University honours, and may thus prove a check on the negligence of Professors; we may say, has proved a check; for it is well known that the Professorship of Civil History had for several years become a *sinecure*, and that the arrangement by which it is now rendered a very useful and well frequented class, was owing solely to a course of lectures in that branch being set on foot by an ingenious private clergyman in the neighbourhood. In Glasgow likewise there are academies and private teachers enough to make negligence unsafe for the interest or credit of the Professors: and the effect of rivalry is in a great measure secured even at St. Andrews, by means of two flourishing academies for several parts of science, at Perth and Dundee, both a very few miles distant from it. It may be added that such rivalry is far more necessary at Aberdeen than in these other Universities; for by their lying within the compass of about 50 miles, and the expence of education being nearly the same at them all, they are truly rivals to one another, and in case of negligence or oppression in one of them, students could without any inconvenience go to another: but Aberdeen is at least 80 miles distant from the nearest of them, and (in the words of the reply p. 40. note) "more than one half of Scotland is nearer in local situation to Aberdeen than to any other University;" and consequently if the ceasing of emulation by an Union of the Colleges should be found, when it is too late, to produce negligence, more than the half of Scotland could have education only by going 80, 100, or 120 miles farther, and to places where the expence would be nearly double. It is admitted that the interest of a Professor will always have some dependence on his diligence; but it must be observed that this motive to exertion takes place at present in its full force along with the other arising from emulation; and in greater force than it could subsist in the event of an Union. For a man who without his utmost exertion cannot expect a number of scholars sufficient to afford him a decent subsistence, has a stronger spur, than if he were in a situation where moderate application will secure him that, and the greatest application could bring him only a little more. Besides application is, in the separate state of the Colleges, more strictly connected with interest than it would otherwise be; for if a Professor in one of the Colleges be negligent, students can be instructed by the correspondent Professor in the other, at the same expence and only the distance of a mile; whereas, in case of an Union, they could not have that relief but by removing at least 80 miles, and to a more expensive seminary; hardships to which many would find it necessary to prefer a very imperfect instruction. It likewise deserves notice, that a Professor might indulge himself in negligence, especially when he is fixt to a particular department, with little or no loss of interest, because none whose views require a complete course of

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\* Presbytery of Lewes.



Academical education, can obtain it without attending his class, as well as those of his Colleagues ; but at present he cannot have this security, for a student in one College may without any inconvenience, attend the other for that particular branch ; and such transitions, from other views, are not uncommon. It is of some importance too, that if an ill-qualified Professor should ever happen to get into either of the Colleges, scholars may find one better qualified in the other ; an advantage which would be lost by the Union.

It has been suggested, not by us, but very generally by the public, that in the event of an Union, fees might be raised, and other expensive or oppressive regulations introduced. And we cannot help so far agreeing with them as to acknowledge that in that event, it would be easier than at present. If one of these Colleges should attempt it, students could easily have recourse to the other ; but to have recourse to the distant Universities would be a much greater burden than to submit to the imposition : and in one College which could not be deserted without so great a burden, there would surely be a better chance for unanimity in exactions, than in two rival Colleges. Their being checks on one another has in fact prevented regulations improper, or disagreeable to the public. When the King's College about thirty years ago prolonged the session, with the best intention for the improvement of education, beyond what the public thought the poverty of the country could bear, it was by having the Marischal College easily within their reach that young men procured education, and that the public obtained, after a short trial, a repeal of that regulation. By that regulation the Session of King's College was extended to seven months, while that of Marischal College continued to be only five months. The consequence was, that the Professor of Greek in the latter, the very year after his entry, when he could not have yet acquired any reputation as a teacher, had *seventy* scholars, and his Colleague in the King's College, who had for several years taught numerous classes with great reputation, had only *thirteen*. But the inequality ceased as soon as the Session was again reduced to five months. This simple matter of fact is a demonstration from experience, both how deeply the public would suffer by an increase of the expence of education, and how much the vicinity of the two Colleges contributes to prevent that increase.

The proposals thrown out by the Marischal College for *new* regulations (Address to the Clergy p. 3, 4. Reply p. 44. Observations) in order to prevent *new* abuses, implies an acknowledgement that there would be some risk of these ; and before the public willingly run that risk, they will no doubt wish to be assured both that the regulations be good, and that they will always be effectually executed. If the hints which have been thrown out (Observations. Address. Reply.) of securing the execution by subjecting the University to an *extraneous* authority, seem to be *specious*, they are very far from being unexceptionable : A most respectable author, quoted on the other side, (Smith Inquiry, B. 5. C. 1. Art. 2.) pronounces, That an extraneous authority can only oblige to a certain *number* of lectures ; but what the lectures shall be, must still depend on the *diligence* of the teacher, and that diligence is likely to be proportioned to the *motives* which he has for exerting it ; That such authority is liable to be exercised both ignorantly and capriciously ; That the person subject to it is necessarily degraded by it, rendered mean and contemptible, and reduced to seek protection and guard himself against bad usage, by obsequiousness and readiness to sacrifice the rights, interest, and honour of the body corporate of which he is a member : And that these effects are observable in the French Universities. — Societies and individuals much interested in the matter have expressed their apprehensions of another increase of expence in the event of an Union, which it would be without the power either of the Professors or of any Academical regulations to prevent ; apprehensions that from all the classes of Philosophy and languages being confined to one of the towns, occasion might not improbably be taken for raising the rate of board and lodging ; against which the competition between boarding houses in the two towns, with the public table in King's College, as a check upon them all, is at present a security.† It is a certain fact that the cheapness of education in the separate state of the two Colleges, has hitherto put it in the power of many originally in very poor circumstances, to procure an education to which they owe, and acknowledge that they wholly owe, their having made a figure in very important stations, done essential services to their country, and raised themselves to a respectable rank and opulence. A very inconsiderable advance in the expence of education would preclude all such cases for the future. §

Though

† Presbytery of Lewes, Inverness.

§ “ It is our opinion that the union of the Colleges would have an unfriendly aspect on liberal education in the northern parts of the kingdom—by raising the expence of education, putting it more out of the power of farmers, clergy, and even the middling gentry, who have numerous families, to send their children to the university, and of course lessening the number of students. As matters now stand, preachers have become scarce in the bounds of this Synod, almost to an alarming degree : two stations in our bounds have been vacant more than a year, which we have not yet found preachers to accept of. If this union takes place, we should not be surprised if Advertisements were seen in the public Papers, twenty years hence, for Ministers to accept of our vacant parishes.” *Presbytery of Lewes*. The Presbytery of *Uist* likewise, in unanimously disapproving the union, took it up as a matter of serious importance to the interests of literature, in regard to the church of Scotland in general, and more especially in regard to the education of youth in



Though public utility be held forth as the only object of the proposed Union, by those who favour it, and represented as alone sufficient to outweigh all objections against it; yet it is plain from the preceding observations, that such Union would necessarily *deprive* the public of real and great advantages which it actually enjoys by the existence and vicinity of two Colleges, and thus prove positively *detrimental* in several respects. This cannot be evaded by the pretence (Reply p. 37.) that "it is not proposed to suppress any *branch* of education at present taught;" for this might be alledged with equal truth, if the proposal were for uniting together all the Colleges of Scotland; in which case however the fallacy would be too palpable to pass with any person. Were there no other objections, this alone would be sufficient, till it be once clearly proved either that the proposed Union is *necessary*, or that it would be certainly productive of *superior* advantages.

The only situation in which *necessity* would justify the sacrificing of these advantages to an Union, is the impossibility of both Colleges continuing to exist without it; by reason either of the insufficiency of the funds for the decent support of the Masters, or of the want of students to attend them. This was the situation of the two Colleges at St. Andrews; and it was certainly better for the public that one College should flourish, than that "both the separate Colleges (Reply p. 37.) should have been suffered to fall into decay, for the want of the support which followed from their Union." But this necessity does not take place in the present case. Both King's and Marischal Colleges have long existed and been useful, and are now as flourishing as ever; there is no appearance of either falling into decay for want of support by an Union: the number of students at each is always respectable; as great as at the united College of St. Andrews; greater than at several Colleges in the English Universities, which it never entered into any person's mind to think of suppressing; often as many in a class as any Professor can teach to the best advantage. If we be content with our present livings, it will not surely be considered as an evidence of that selfish, interested, illiberal spirit to which our opposition to an Union has been so freely ascribed: the Marischal College (Appendix No. 6.) represent some of their own salaries as considerable, and they elsewhere declare their revenue to be farther and much improveable: the salaries of all the correspondent offices in the King's are considerably better, and the revenue, in its very nature, such as must improve. But if the augmentation of the livings were a matter of necessity, it could be no argument in favour of the Union proposed; for that the plan has not this object in view, is one of the boasted proofs of the liberality of the promoters of it; with what justice, will appear afterwards.

But the grand plea, indeed the only one, urged in favour of the proposed Union, is drawn from the great advantages which the public are to derive from it. These are indeed confidently promised, and pompously displayed. But they cannot justify that measure, till it be, not boldly asserted, but clearly proved—That they are not only *real* advantages, but so *superior* as to overbalance all the disadvantages consequent upon it, and all other objections which lie against it;—That they cannot be obtained by any other means less exceptionable than an Union;—And that by an Union they will be *certainly* obtained.† But in their attempts at any part of this proof, we cannot but think that they have totally failed.

The improvement in the branches of education at present taught, which they promise to the public, is that the Union will produce *numerous classes*. It is so much a favourite topic, that they neglect not to mention it in their very short Petition to his Majesty; and in almost every one of their publications, (Out-  
lines,

"these remote countries, and found themselves nearly interested in the issue of the present contest." "Uniting these Colleges must unavoidably establish a monopoly of literature, evidently prejudicial to those of narrow fortunes, especially in the north of Scotland, for whose benefit the King's College was principally founded." *Presbytery of Dornoch.* "The good effects expected from an Union are at best uncertain, while one bad consequence appears highly probable, namely to render education more expensive, and hence not only difficult, but perhaps in many cases impossible to be attained by people in the middle and lower ranks of life. Any scheme that may have a tendency to exclude so considerable a part of the community from the benefits of literature and science, ought not to be adopted without the most mature deliberation." *Caithness.*

‡ "The presbytery are very sensible of the good done by these seminaries in their present state;—the advantages proposed by their union, are at best but probable and precarious, not sufficient to justify the alteration of Constitutions so venerable and so useful." *Inverness.* "We have reason to doubt that beneficial effects will accrue, and sincerely wish to see the two societies continue to flourish in their present independent state." *Uist.* "They do not see what tendency an union of the two colleges can have to promote the interest of literature." *Lochcarron.* "Nor do they think that, if the projected union was to take place, it would be attended with such advantages as the plan holds forth, to the interests of Literature and Education in the north of Scotland. At least those advantages they consider as uncertain and precarious. And as the Universities have so long flourished in their separate state, they cannot see the necessity or propriety of making innovations that may not have the desired effect in promoting the public utility." *Chanonry.* "Tho' an union in general is plausible, and might be proper and beneficial in many cases, yet in others and in different circumstances, it may be the *reverse*: such we apprehend the union now proposed to be." *Dingwall.* "We think that the promised advantages are all chimerical." *Leaves.*



Times, Observations, Address to the Clergy, Reply,) they carefully introduce it. It is most certain that this would be a great advantage to *themselves*, by the value of the fees which they might expect. It might afford ample provision for able Professors; and it might likewise prove a temptation to such as were not very able, to employ influence with the Patron, for supplanting greater merit. But that numerous classes should be stated as clearly an *advantage to the Public*, we own, surprises us so much, that we are more disposed to reckon it one of those *disadvantages* which there needed something to compensate: and the public are decidedly of the same opinion. We can entertain no apprehension that, in consequence of an Union, the classes would ever exceed double the present numbers: for reasons already suggested, we reckon it pretty certain that they would soon fall short of that estimate. But acquiescing in it, that such classes will be better taught than the present, by the same man and in the same space of time, is to us inconceivable, nor have we ever heard a single person, except the promoters of the Union, hesitate to pronounce it diametrically contrary to all experience in, or observation of, teaching.—In the present state of both Colleges, every class contains numbers, of every rate of genius, sufficient to produce emulation as certainly as twice the number could; and sometimes, by its being confined to a few rivals, more eager emulation than would take place if it were dissipated among a greater number.—From forming societies among students at the age at which they attend these Colleges, in order to discuss the objects of their studies, little advantage can be reckoned on, and that little might be most reasonably expected from such small societies as the present classes can afford; numerous meetings of boys would tend more to disorder than to diligence: that an Union should occasion a longer residence of students fit for conducting societies of this kind, depends on circumstances too precarious to encourage sanguine expectation; and if it should, it is highly improbable that these more advanced students, instead of conversing with one another, would associate with their juniors, and encounter the petulance or trifling natural to their years.—The present state of both Colleges allows sufficient scope for a higher Greek class; it has frequently had success; and when it had not, the failure has been owing to circumstances which an Union could not remove.

While the advantages ascribed to numerous classes are such shadows and uncertainties, the inconveniences arising from them, to education and to the public, are certain and substantial. From a great number of young men or boys collected together, there is always a risk of their corrupting one another, both in the class and out of it, into idleness, inattention, irregularity, and vice. In all the classes for *languages* and *philosophy*, even the highest, we assert, from our own long experience, that frequent and particular *examinations* are absolutely *necessary*: and our opponents do not deny it. In numerous classes, the examination of each student cannot possibly be so frequent or minute as in the less numerous: and to pretend that a few examinations, however regulated, will answer all purposes as well or better than twice as many regulated with equal skill, appears to us a perfect absurdity. ‘But a Professor will bestow more time on a numerous class.’ (Address, Reply.) He would need to do so: But that every Professor really will do so, when there is nothing to oblige him to it, the public have no reason to take for granted. ‘Or he may explain some particulars to a few at separate hours.’ (Address.) But that would be, of mere choice nearly to double his labour and time of attendance; it would be to teach two or more thin classes instead of one greater; and it would be impossible without abridging the present stated number of daily meetings. Besides, the Professors of King’s College confine not their care of their scholars to the hours of teaching, but attend to their studies and their behaviour in their separate lodgings; to which double numbers could not but prove a great obstruction. Another expedient is suggested (Address) ‘that the students might find private tutors for a very moderate fee:’ we suppose rather *inadvertently*: for in the more laboured paper (Reply) of which that seems to be an abstract, this is *prudently* omitted. The expedient is certainly *requisite* in numerous classes: But, it is not so certain that parents will consider it as an *advantage* to them, to be laid under the necessity of an additional expence by paying a fee to a private tutor. We are unwilling to enter into a comparison between the progress of our students, and that of the students in more numerous Universities: but, on the authority of some who have good access to know, and are well qualified to judge, we affirm that the former, particularly in Greek and Latin, is by no means inferior to the latter; and that, if in any of the elementary sciences the latter be ever superior, it is owing to the assistance of private tutors, to the greater age of the students, or to their longer attendance, making amends for the disadvantages of very numerous classes. In referring to the Grammar School of Edinburgh, the Gentlemen of the Marischal College are unfortunate; for we have most unquestionable information, that there the great increase of the number of scholars has, notwithstanding the eminent abilities and indefatigable diligence of the teachers which invited it, rendered progress very difficult to all such as cannot be at the expence of private tutors. It has been much controverted, Whether a private or a public education be preferable: but that the advantages of the latter will rise in proportion to the numbers, is too ridiculous to have been ever maintained by the most violent of its advocates. It has been very generally allowed, that a seminary moderately numerous unites the advantages of both. Such seminaries our Col-



Colleges are, in a great measure, in their present state; yet to them, the Gentlemen of Marischal College seem to have applied the arguments commonly urged only against a *private* education.

These Gentlemen are likewise very liberal in their promises of advantage to the public, from additional Professorships for those branches of science which are not taught at present. But they have never put it in the power of the Public, to judge whether all these Professorships would be useful or not; and certainly there may be some departments conceived which would be useless. They say that they have 'named the number that appeared to them sufficient.' (Reply p. 45.) Sufficient for what? Before the question can be answered, the purposes in view must be precisely known; according as these are fixed, any given number may be either too great or too small. They profess that they "thought it more respectful to the public, not to specify the particular Professions to be retained or added." (ib.) What? While they yet called upon that public, to determine whether the addition would be of advantage or not? This is a strange manner of expressing respect: it is in effect to say, We have thought of something, we will not tell you what it is, but we desire you to declare whether it will be useful or not. Will they call this one of the objections which 'regard the detail, and not the general expediency of the measure?' (ib.) It is a point which must be fixed, before any judgment can be formed concerning that expediency. But their respect for the Public consisted in their waiting their assistance for filling up their Outlines, and 'rendering the Plan complete.' And how was the Public at large to concert the several particulars necessary to that end? Or how were the sentiments of the majority to be ascertained? A few, and these perhaps the least capable, though the most officious, might suggest, and in some measure have suggested, their peculiar ideas: but this forms not the voice of the public. A whole country never can prepare or digest a plan, though it may pass a judgment on it after it is fully formed; it must be concerted by a few; and it is the duty of those who propose a plan of general concern, to enable the public to pass a judgment by laying it before them complete in all its circumstances. The contrary method may allure the approbation of those who are easily caught with a general specious idea, and of those projectors who hope that their ideas will be adopted; but, by disguising objections to which the particulars are liable, concealing difficulties which lie in the way, and leaving room for a choice between contradictory arrangements, it will in fact delude the generality — While the Members of Marischal College so carefully conceal their intention as to particulars, they blame us for 'taking the liberty to supply what is wanting with our own conjectures.' (ib.) If our conjectures had been wrong, they have had many opportunities, in their multiplied publications, of correcting them, by declaring what their intentions really were; the public had a right to expect such explanations on particulars objected against; as they have never given them, but chuse to continue inexplicit, though our conjectures militate directly against their Outlines, the natural conclusion is, that these conjectures have coincided nearly with their real intentions, which however it would be dangerous for them yet to avow. But on the present subject, they have involved themselves in so much confusion, as scarcely to afford a ground even for conjecture. The only meaning we can put upon their words, (Reply, p. 39.) is, that only the offices of a Principal, a Professor of Greek, and three Professors of Philosophy, shall be suppressed; in which case, the offices retained will constitute a College consisting of a Principal and thirteen Professors, two of Theology, two of Oriental Languages, (a department which has been as nearly a sinecure as most others, and in which there is surely no greater necessity for two, than in the Greek Language) one of Law, two of Medicine, three of Philosophy, one of Mathematics, one of Greek, and one of Humanity; and there will be room for only *two* additional Professorships. From most of their publications, it appeared to be their design that these should be appropriated to Law and Medicine; still however without saying, whether both are to be appropriated to one or other of these sciences, or one to each of them; or whether they really intend a greater number, which the magnitude of their promises certainly demands. But in one publication (Reply, p. 39.) they propose a Professor of Astronomy, in another (Observations) a Professor of Agriculture, and in a third (Address) they say that 'several have been already suggested.' As the elements of Astronomy fall of course to be taught by the Professors of Natural Philosophy and Mathematics, a distinct Professor for that science, (any more than a splendid Observatory) is of no consequence in general education; and could be useful only to the very few who are capable of making new discoveries. A proposal to introduce at Aberdeen, what has never been attempted in the greatest of the British Universities, a Professorship of Agriculture, cannot but appear a mere flight of fancy; and from a speculative man prelecting, within the walls of a College, at a distance from the fields, on the manner of cultivating them, those must be very sanguine, who would expect advantage to the art.\* That any of the other Professorships suggested to them, concerning the subjects of which they vouchsafe not a single hint, will be of great benefit to the public, they cannot certainly suppose that public implicitly to acknowledge, or us either to own or to confute. Leaving them to say, at their leisure, what they mean, we shall confine ourselves to those of Law and Medicine, on which chiefly they enlarge.

They observe (Reply p. 39.) that "these offices have been held as sinecures for many years." Certainly

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\* The very ingenious Bishop of Landaff has suggested an establishment of this nature in the English Universities, but only for the instruction of young persons of *rank and fortune*; very few of whom can be expected to resort to Aberdeen.



ly, if the fact be so, it is no good argument for multiplying these very offices, and for suppressing four others which have always been effective and useful, in order to make way for such multiplication. The most obvious inference from the fact, would be, that therefore these offices ought to be now suppressed, and others more useful substituted in their place. But it is proposed "to render them effective." And how? A mere act of Union cannot possess any magical power of securing that end. The mere establishment of Professorships is not sufficient for it, else there would be no sinecure in any University; which is so far from being the case, that almost all the Professorships in the English Universities have, by a concurrence of circumstances, become such; and though Professorships of Modern History were erected and endowed in both as long ago as 1724, no lectures have yet been read in either. But regulations adequate to that purpose, they say, will be made either by Visitors or by Parliament. Regulations there certainly are already, enforced by both these kinds of authority, as well as by the Foundations of both Colleges, with standing Visitors for carrying them into execution, for securing the exertions of the several members in their offices; notwithstanding which the Principalities of both, as well as the departments of Law and Medicine have been held as sinecures for many years. If the gentlemen of Marischal College have found out better regulations, it would not have been disrespectful to the Public to have suggested them, that they might have had it in their power to guess whether their operation would be infallible. The truth is, that where classes cannot be had, Professorships, however multiplied, must inevitably, without any fault of the Professors, become sinecures.

The Unionists assume the University of Glasgow as the model of their proposed College. But for procuring to this country the same *advantages in Law and Medicine*, which that University affords to the western district, an *Union* of the Colleges is *totally unnecessary*. For at Glasgow there is only one Professor of Laws, and at Aberdeen there is likewise one. In the Colleges of Aberdeen there are two Professors of Medicine; at Glasgow there are but likewise two, along with a Lecturer in Chemistry, named and paid *from year to year* by the College; and we have declared our readiness (Memorial p. 13.) to concur in procuring the like assistance here. When an attempt at these classes, may thus be immediately made, without an Union, on as large a scale as at Glasgow, it must be great precipitation to annihilate at once an effective and useful College of arts, in order to establish them on a larger scale, without any experiment whether or not they will be successful. If this scale has been sufficiently extensive to secure success at Glasgow, its not being more extensive cannot certainly render it abortive at Aberdeen. The only objection against this proposal which they have suggested, (Observations. Reply p. 41.) is "that the students of the two Colleges are unconnected and have little intercourse," and that attachment to "one College, together with a certain point of honour, would prevent their leaving it, or attending at the same time any new classes that are opened in the other College." The objection surprises us. It is well known that, for a very long time past, the students of the two Colleges have lived in the most amicable intercourse with one another, that much fewer disputes have happened between them than among the fellow students of either, that intimacies have been preserved between them through the whole of their course, and friendships begun which have lasted for life. It is likewise well known, that there are instances, almost every year, of students passing a part of their courses at one of the Colleges, who had begun them at the other. It is farther well known, and our having mentioned it (Memorial p. 13.) might have prevented this objection, that it has always been the practice for the Alumni of each College, uniformly, indiscriminately and equally to attend the Professors of Divinity, and of Oriental Languages in both Colleges. This was the case when their classes were *new*, and its having prevailed so long, would be a preparation, if any were necessary, for *new* classes of Law or Medicine, to whichever College they were considered as belonging, being attended promiscuously, without obstruction from any whimsical point of honour, by those who had passed their course of Philosophy at either.

If the present state of the King's and Marischal Colleges thus plainly admits of classes for Medicine on as extensive a plan as renders them flourishing at Glasgow; it is still plainer that it is sufficiently extensive for making a *trial*, at least, how far they will succeed. It is acknowledged (Address p. 32.) that "certainty of success cannot be obtained previous to *trial*." This being acknowledged, the only question is, Whether the *trial* should be made *before* attempting an Union, or only *after* an Union is established? And can any person hesitate in answering it? For certainly nothing can be more preposterous than to insist, that there shall be *first* an Union, and *next* a trial whether it will be useful or not. We have (Memorial p. 13.) proposed a trial, and pointed out how it may easily be made. The promoters of the Union have since said (Address p. 32. Reply p. 41) "that Gentlemen well qualified are willing to undertake departments without any other emolument than the fees of their classes." If this be so, the *experiment* may be made with the greatest possible advantage. It is indeed added, (Address). "till the salaries fall in by death." By this it would appear, that the Members of the Marischal College, who have no share in a single Patronage, have already constituted themselves patrons of all the Medical offices, bespoke their presentees, and treated with them for reversions: this is surely proceeding pretty fast. We cannot however suppose the Physicians so selfish as to insist on assurance of these salaries,



ries, as the condition of giving their assistance in a *trial*: if it succeed and be productive of the great advantages promised, there need be little doubt that, by some means or other, they will be "provided (Reply) with suitable salaries;" and if the trial fail, they certainly would not wish that sinecure places were erected merely for their emolument. In such trial there would be wanting only the assistance of that Professor of Philosophy of the Marischal College, who "is willing to exchange his present office " for a branch in the Medical department:" The stress which they lay on this obliges us to observe that, when it is well known that he has, for more than twenty years, found it necessary to take large assistance from a depute, in teaching his present class, in order to his having leisure for his extensive practice, it cannot be expected that he would give close attendance in a medical department, probably much less lucrative. At any rate the mere want of his assistance cannot be sufficient to defeat the design; it would be precarious indeed if its success depended absolutely on the concurrence of a single man. If both Colleges heartily concur, it can as little fail for want of "proper support from the " Universities." The King's College are ready to give their support, their Professor of Medicine is ready to do his part: let Medical classes be immediately opened on this footing; let them be continued for six or seven years; and a shorter time will not be a fair trial, for novelty or even humour may procure some attendance on them for a year or two: the public will immediately reap the full benefit of them. If the trial succeed, it will then be time enough to think of proper means for perpetuating a medical establishment; for if it prove not effective, it would not certainly be wished that perpetual salaries were appropriated to it.

The Marischal College represent the King's College as highly unreasonable in requiring a *certainty* of the success of Law and Medical classes, and the other advantages held forth, before agreeing to an Union, (Address p. 32. Reply p. 41) and in support of their representation urge the absurdity of the consequence to which that requisition would lead, namely, to "discourage all attempts and exertion for " beneficial plans, and to place insurmountable obstruction in the way of every improvement." But we deny that this consequence can at all follow from our reasoning. We admit that a *probability*, nay a mere *chance* for success, may warrant some attempts for what is a *real* improvement, and for plans *evidently* beneficial; it might warrant a trial whether the proposed classes will succeed; it might warrant the acceptance of funds formerly unappropriated, for salaries to teachers in the proposed departments, or applications for them; it might warrant any means of obtaining them, which forfeit no certain advantages now enjoyed, nor are attended with any real inconvenience: but it can nowise follow that a *chance* or even a *probability* will warrant the projected Union. The point on which we demand certainty is, That it will be an *improvement*, a plan really *beneficial*; it would surely be neither, if, for want of students the additional professorships should in the end turn out sinecures. And we demand this certainty, only before we can agree to the extinction of a whole College of Philosophy and Arts, to the losing for ever, without a possibility of recovering them, all the advantages which the public have hitherto derived from it, and to the subversion of the present Foundations and Charters of both Colleges, fortified by every thing that can render them sacred. In such a case we have a right to require, and the public to insist upon *certainty*, demonstrated by actual and full experience, that the projected union will be productive of advantages sufficient to outweigh all these considerations. *Certainty*, the projectors "acknowledge they cannot give." (Reply p. 41.) Consequently their proposal is, for the sake of an *acknowledged* uncertainty, to sacrifice *important realities*.

The utmost they pretend with respect to the schools of Law and Medicine, is, that the success of them is *probable*; but we have just now shewn that probability is too little for their purpose, and therefore might safely leave them in possession of their position. But we had (Memorial p. 12.) given several reasons which induced us to consider that success as very *improbable*; and notwithstanding what they have said in answer to them, we have found no ground for altering our opinion. We mentioned three instances of Medical classes attempted at Aberdeen without success. They answer, that 'the want of success was owing to some temporary circumstances, which are now removed, nor are likely to occur ' again.' (Reply p. 40. Address p. 31.) These attempts were made, one above twenty years ago, one about eight, one about five; and we add that another has been made in the present session, without any success, by our Professor of Medicine. Certainly then, either these temporary circumstances have already recurred *four* times in less than thirty years, and are *not* now removed, — or Medical classes are in vain attempted at Aberdeen, even when these circumstances do not take place: both inferences are alike contradictory to the idea of success; and there cannot be a third. For this account of the cause of ill success in the earliest of these attempts, the authority of the Physicians in Aberdeen is now produced: (Reply p. 40. Append. No. 3.) but only two of these were then Physicians in Aberdeen; and some of us have better access than the rest of them to know the real cause of the failure; for we were well acquainted both with Dr. Gregory and Dr. David Skene, and with the other Physicians, and often at the time heard both parties on the subject; and it was, *a want of Students*, arising indeed in part from a circumstance which cannot but occur very frequently in a narrow place, misunderstanding and jealousies among  
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men whose interests and views interfere, and who have in a great measure the direction of their apprentices. The Marischal College have discovered other causes of that failure. 'It had no proper support from the Universities, or from the Public.' From the public, it was as much *entitled* to support as any attempt in an United University could be, it being as much intended for their benefit; if it received it not, what assurance is there that the other will receive it? And by the concurrence of both Colleges in the proposal for teaching Medicine, which we have above made, it will have the very same support that an United University could give it. But there was no 'certain expectation of its continuance.' It was the want of classes that in fact prevented its continuance, which otherwise there was no reasonable ground to doubt: here the Marischal College require *certainly*, but in a case very different from that in which we require it: will they maintain, that want of certainty of continuance is a sufficient reason for students refusing to attend a class while it does continue; but that the want of certainty for any advantage from it, is *not* a sufficient reason for our refusing to overturn the present Foundations of two Colleges, annihilate the offices of Principal, a Professor of Greek, and three Professors of Philosophy, and suppress a whole College of Arts? In the former of these cases, the plea has really no weight; for there was a *certainly* that the classes opened by Dr Gregory and Dr Skene, if successful, would continue as long as *one* set of Students needed the benefit of them; (they did continue for two years :) and we cannot see, how that set should have been kept back from attending them, merely because there was no certainty that *another* set were to have the same benefit. 'But it was not then conducted on a Plan sufficiently extensive, only two Classes being opened.' In this particular, the writer of the Reply has been misinformed, for though there were but *two* teachers, they proposed classes for all the branches of Anatomy, Physiology, Botany, Chemistry, and the practice of Medicine; and they were very capable of teaching them all. To that instance therefore the solution is not at all applicable. Neither has it much force in any instance: for we can see no good reason why a Student should refuse applying to any *one* branch necessary in his profession where he has an opportunity cheap and commodious, when by so doing he will have it in his power to apply elsewhere to the other branches at a less expence of time and money than else he could have done, or to more of them than else he could have afforded. Till the reason be proved to be good, the want of extensiveness cannot account for the failure of any one of the attempts hitherto made for medical classes at Aberdeen. When a Botanical class was attempted, the expectation of its success was nearly as sanguine with many, as the present hopes of flourishing medical classes; and it was the disappointment of that expectation that checked the endeavours which were begun for procuring a botanical garden. A total want of success in so many attempts, is a sufficient reason for not making all the sacrifices which the projected Union implies, to hopes which all past experience shews to be extremely precarious. If a chemical Lecture has lately been successful, this is an evidence that "a systematic and permanent establishment of classes in an united University," is not necessary to their success whenever circumstances furnish students enough to attend them: but when such circumstances do not take place, an Union might doubtless render the *salaries* permanent, but how it could likewise render the *teaching* permanent, has never yet been explained.

It is in large and populous towns, that success may reasonably be expected in establishing medical classes. In such places many Physicians of the first abilities are always found, to furnish a choice of the most eminent teachers. There too, such Physicians find abundant practice so near at hand as to render it perfectly consistent with regular attendance on a class. It may be added, that there only the means of teaching some branches, as subjects for dissection, (without a succession of which a course of Anatomy would be in vain attempted) can be procured by any *proper* means: not to mention that there will be of course a multitude of students. Accordingly the English Universities have, in vain, employed their utmost pains to establish medical classes; while in London, 'without any establishment in an University,' many Lectures in all the branches of Medicine are carried on with the most brilliant success. This is so much in favour of Edinburgh,† and even of Glasgow, and so much against Aberdeen, as to invalidate any conclusion drawn from those places to this latter. Here in particular, the great distances to which a Physician's practice must often lead him, could not fail to obstruct his regular teaching *much more* than in those other places; an example of this very effect, we have reluctantly mentioned already.

It is not without reason that we judge it highly improbable, that there ever can be medical classes at Aberdeen, sufficient for determining a Physician to sacrifice lucrative practice to regular attendance on them. The medical College at Glasgow has never drawn any students from a distance, but has been composed solely of such as resided or passed an apprenticeship there; without offence to the Physicians in Aberdeen, we may say that the Professors of Glasgow are their equals in abilities and reputation; and, judging by that example, we may conclude that in all probability the classes would be here composed only of residents and

† At Edinburgh many medical classes have been taught for above 50 years with great success, independent both of the emoluments of salary and *academical support*, and that even in addition to the ample establishment of the University; Dr Young, in the beginning of that period, and Dr Duncan and others at present, find numerous classes for all the branches of Medicine.



and apprentices in Aberdeen. In fact, a concourse of strangers seems likely to be confined to at most one Medical College in a kingdom; the rise of Edinburgh has very much affected the resort even to Leyden. We pretend not to know the number of medical apprentices in Aberdeen; but a writer in favour of the Union reckons them about thirty; we shall suppose them so many, that is, ten entering to an apprenticeship every year. It will need no proof, that a boy of the age at which they commonly enter, can reap no benefit from attending medical classes, except perhaps anatomy, for the first year of his apprenticeship. Most of them, it is well known, begin their apprenticeship when there remains one year, and many of them when there remain two years of their philosophical course, which requires their attendance three or even four hours a day; were they at the same time to attend medical classes, it would be but losing their time and money for both: and by this means they must be excluded from any profitable attendance on medical classes for two thirds of their apprenticeship. It is well known likewise, that many of them are anxious to get some employment as soon as possible, and that for this purpose their masters often dispense with the last year or half year of their apprenticeship, that they may spend it at the Colleges of Edinburgh: and therefore there can be no ground to expect that *all* of them would continue in a medical College at Aberdeen, even for one year after the expiration of their apprenticeship. No student can, with any profit, attend all the medical classes, or at the highest more than half of them, at once. It cannot be expected that all the apprentices will in any way attend *all* the classes; some of them cannot afford to pay fees to two or three Professors in a year; and some would reserve themselves for the superior advantages which must always be found at Edinburgh, and would attend no class at Aberdeen; or if they attended at both, it would increase, not diminish the expence of their education. These facts put together, afford even a demonstration that the number of medical students which could, on any reasonable or even specious ground, be expected in every class, would be by much too pitiful, for giving the advantages promised from throng classes, or for securing a Physician's abandoning the emoluments of his private practice for the sake of attending them closely. We have heard it said that, in the event of medical classes, they who now go apprentices to Practitioners in the country, would prefer an apprenticeship at Aberdeen: if it were so, these practitioners must give up their business, and no remote family could procure medical assistance without sending for some of the Physicians from Aberdeen. This would very plainly redound to the advantage of these, by extending their practice and multiplying their apprentice fees, besides their enjoying the medical salaries: but it is not so plain how it could be conducive to the health, the ease, or the interest of the Public at large. It may be said that medical classes would encourage more young men to apply to the study of Physic; but this would be, more than either are necessary or could find employment. The Physicians in Aberdeen, it seems, declare (Appendix, No. 3.) their opinion for the success of a medical school, if it is properly instituted as a part of the University: but still it is only the *opinion* of six individuals, besides two Petitioners for the Union; they give no reasons for it: and however much we respect them, we cannot think their *mere* opinion a sufficient ground for attempting so very violent changes as are involved in the projected Union. Of the plain facts which we have stated, and which very strongly establish the *contrary* opinion, every man of common sense is as competent a judge as any Physician.

"The Law school," they say, (Reply p. 41.) "admits of no difficulty." The assertion is peremptory: but it is not proved. They say (*ibid.*) that we have "admitted the probability of its being successful." We have (Memorial p. 12.) established from experience, the very reverse, its improbability. They represent us as "adding very properly, that this will only be the case where the Law Professor exerts himself *as he ought*." We will not enquire, either why they substitute this *gloss* instead of our words, or for the sake of what *insinuation* they have substituted it. But it is plainly very different from the remark which we really made, that "in Glasgow, the establishment of any Law class is owing only to the *great* exertions of the present Professor and his immediate predecessor;" we might have said from the most unquestionable authority, "to the *uncommon* exertions and abilities of the present Professor, and these two aided by a concurrence of favourable circumstances." From that remark we inferred the great uncertainty of Law-classes proving permanent even at Glasgow; and surely that must be very uncertain, which cannot subsist without *uncommon* exertions. In the very nature of things, Edinburgh is the natural situation for a flourishing and permanent Law class; because it is the seat of the supreme Courts of Law, and there only Students can have an opportunity of seeing the practice of these Courts. The importance of this opportunity may be perceived by reflecting, that while many great Societies for the study of Law, have long existed and flourished in London, where there is no University, the Vinerian professorship of Laws at Oxford, to which the extraordinary merit of Blackstone gave so great celebrity for a short time, has already been for a considerable time, like the more ancient professorships, a *sinécure*. Acquaintance with the civil law is unnecessary for practice in the inferior courts, or for any of those employments which fall to the share of provincial lawyers; such knowledge of the Scotch law as the Masters are bound by indenture to impart, along with what may be acquired by private study, young men find in fact sufficient for all their purposes: and it may be taken for granted that most of them will not incur the expence or trouble of attending



attending classes, for the sake of what they can never expect to turn to any good account. Many of the apprentices have always been readily received without the previous education which would qualify them for reaping advantage from lectures upon law, and have found comfortable employment. The number of procurators annually admitted, whatever terms of admission might be fixed, is by much too small to secure a permanent class. Attempts have not been wanting to establish a law class at Aberdeen: the Records of King's College contain many appointments on the Professor to give lectures, and many instances of his beginning to give them, but always without success. The Masters were so much in earnest about it, that in 1724 they required the Professor, either to reside and teach, or to resign: and before proceeding to a new election on his resignation, they enacted, that whoever was elected, should reside and teach. A gentleman in every respect well qualified, accepted the office on these terms, and did constantly for near twenty years reside, but never found a class: none of his successors have met with the smallest encouragement for opening one; and a class actually opened at Aberdeen, within the same period, had no success. On all these grounds we must, notwithstanding the *opinion* of the Society of Procurators, (the reverse of which we however know to be held by several very respectable Members of that Society) regard the establishment of regular and flourishing law classes, as very precarious, and too improbable to justify the sacrifice of any present advantage to the prospect of them.

Of the other advantages of an Union, very anxiously displayed, many absolutely depend on the supposition that flourishing classes of Law and Medicine will be established: and consequently must be precarious or improbable in the very same degree as this supposition is. If it be at all uncertain that such establishment will succeed, it must be at least equally uncertain, that young men will be enabled to "embrace employments suited to their genius, the expence of which they cannot now afford;—or that they will go into them better qualified than at present; (Reply p. 39.)—that they will "remain longer at College for the sake of additional classes;—that Gentlemen not designed for any profession will have the opportunity of improvement by attendance on them;—that those bred to the church will have the advantage of likewise studying medicine or law;—that much money now sent to other places, would be spent at Aberdeen." (Reply p. 40.) The last of these circumstances, were it realized, would doubtless be lucrative to the traders in Aberdeen and to a small district around it, but is very improperly mentioned among the *public* advantages of the Union: the University of Aberdeen is expressly declared to be founded for the benefit of the whole northern parts, and the Highlands and Islands of Scotland; and to the inhabitants of that extensive country, it must be a matter of perfect indifference, whether the money which they expend on education, serve to enrich Aberdeen and a few miles of its vicinity, or be sent to Edinburgh or Glasgow.

As the libraries of the two Colleges are alike open to all, and would certainly be both preserved in the event of an Union, there is no greater need of purchasing the same books for both than there would then be, nor could they derive any new accessions from an Union. A Museum suitable to a College, that is, not calculated to gratify the idle curiosity of a virtuoso, but sufficient for all the natural history that can be taught to scholars, has been procured in King's College at an expence nowise inconvenient. Neither College can find difficulty in providing an apparatus really proper for education in mathematics and natural philosophy; and we know that an apparatus may be so great as materially to obstruct that education, by the amusement of a multitude of experiments, instruments, and machines, drawing off attention from the real *principles* of the sciences. The sale of all the books and instruments, the present duplicates of which an Union might render unnecessary, would be too paltry to deserve the smallest notice.

But the advantages promised by the plan of Union are affected by another species of *uncertainty*; or rather are plainly unattainable by that plan; for were it established, it must prove *abortive*, because the revenue of both Colleges would be insufficient for all the purposes of it. To our assertion of this (Memorial p. 14) they oppose (Reply p. 45. Appendix No. 6.) a state of the salaries of the Principal, and Professors of Philosophy and Greek in Marischal College, and infer that the suppression of any three of these would yield at least L. 200 a year. If it did, the expence alone of the annual support of a Botanical garden would exhaust the whole of that sum.\* But this view of the matter is, in more respects than one, fallacious. All these five salaries include a considerable quantity of *Bear*; they are taken at a medium of *five* years, *two* of which are crop 1782, when it sold at L. 1. 4s per boll, and crop 1783, when it brought L. 1. 1s, and in both which the *Fiars* were likewise high; and by this means

\* How visionary the scheme is of even attempting a Botanical Garden, if nothing more were designed, out of the funds of the Colleges, is plain from the expence at which it was established at Edinburgh. (Arnot's Hist. p. 418) His Majesty granted at first L. 1330 1 2½d sterling for making it out, and that being found insufficient, gave an additional sum (the amount of which is not mentioned): he granted likewise L. 69 3s. and afterwards L. 50 more, annually for its support; and the Town Council of Edinburgh gave L. 25 yearly for the rent of the ground. So that (besides the Professor's salary of L. 77 15 6) the public money expended annually upon it, is above L. 220 sterling. And it has always cost a great deal more.



means they are stated above their real value. Besides, it is not the amount of these five salaries that will determine the surplus revenue in case of an Union; the other salaries, of which no state is given, must likewise be taken into the account, for if any of *them* be inadequate to one of the additional Professorships, the salaries of which must in all reason bear some proportion to the rest, the deficiency falls to be made up from those which shall be suppressed. Now the salary of the Professor of Laws in King's College is, at a just medium, about L. 85 sterling; that of the Professor of Medicine the same, besides a manse and garden: but the salary of the Professor of Medicine in Marischal College is considerably under L. 20; of the Professor of Oriental Languages scarce L. 50; of the Professors of Philosophy and Greek, even according to their own state, not above L. 68; of the Professor of Divinity as such (exclusive of what he draws as Lecturer in the Gray Friars Church, and as a Minister of Aberdeen) about L. 55, not one of which salaries could endow a new Professorship of Law or Medicine in any proportion to the present offices in these departments; but a considerable sum must for that purpose be taken from the amount of the three suppressed offices. To make a fair estimate; suppose the salaries of King's College, and of the Mathematical Professor in Marischal College to continue as those of a Principal and ten Professors; take the sum of all the other salaries of Marischal College together; from it set apart sufficient salaries for five other Professorships; and the remainder alone will be the *surplus* revenue for an accumulating fund of L. 100 a year, Anatomical theatre, Botanic garden, and all the other great purposes proposed. The sum to be thus distributed will amount to about L. 525; five salaries equal to those of the Prebends in King's College, requiring yearly L. 425, will reduce it to L. 100 in all; the precise sum proposed for the single purpose of accumulation; if only made equal to the least salaries in that College, they will require above L. 375, and reduce it to L. 150 for answering all the proposed purposes; and this sum, in comparison with their extent, we may surely call *nearly nothing*, and therefore pronounce with confidence, that the projected plan of Union cannot possibly yield the public those advantages which are held forth.

It being uncertain whether the proposed Plan of Union would be productive of *any real* advantages to the Public, and certain that it would not produce *all* those which are promised from it, it is not very material to enquire whether these advantages would or would not overbalance the advantages which by that Union must be forfeited. But that they would, is not proved by what is said (Reply p. 39,) concerning 'the comparative utility of the branches of education already taught, and of those intended to be introduced.' If academical education in the elementary sciences, turns out in the end useless to some of those who have received it, it is equally true that education in law and medicine proves useless, perhaps to as great a proportion of those who have made some progress in it, or even completed it in the most expensive manner, by their afterwards going into the army, or some other profession where it is not requisite. Many whom an academical education does not raise to stations of splendor and opulence, are by it qualified for doing the most necessary and essential services to mankind in humbler stations, particularly in the several lines of teaching. It is to be expected that 'Students will make a greater proficiency in the more advanced, than in the earlier stages of their education.' It follows indeed from this, that, in order to render their progress in the latter as great as may be, there should be a provision of seminaries sufficient for instructing them in these with all advantages for careful inspection and diligence: but it by no means follows, that in every one of these seminaries there should be all possible establishments for the former branches. It is necessary that in every parish there should be a school for the very earliest and lowest branches of education, reading and writing; (which too 'in the opinion of some, prove even hurtful' to several) but it would be absurd to assert that there should likewise be in every parish schools for all or any of the more advanced branches. It is not the dignity of the several branches, that can alone determine the importance of establishments for teaching them; nay, that importance is rather in the inverse proportion. The earlier branches are fundamental to all the rest; whoever has not the opportunity of studying them, cannot proceed to the others; such ample opportunity for them, as the two Colleges afford, is therefore highly desirable: but when they are once acquired, a man, by his own application, and by improving such opportunities as he has, can make some proficiency in the higher branches. It is to far the greater number too, that establishments for the former are of importance: the Public have a more extensive interest in the means of educating two hundred in the arts, at the least expence and to the best advantage, than in educating twenty to medicine or law with only the saving some expence to them. The public would be losers by exchanging the real advantages now enjoyed by the *many* from two Colleges, for the chance of advantages which situation permits not to be enjoyed here in so great perfection as in other places, to which the *few* can have recourse.

What has been said appears sufficient for deciding against the proposed Union, even if the only question were, Whether it would be advantageous, or not? This has been indeed the question stated by the Marischal College; utility is the only positive argument urged in its favour; and on utility solely is grounded the approbation signified by any part of the public. On this account we have at so great length examined this view of the matter.



## II.

**B**UT this is so far from being a just state of the question, that it has no connexion with the *true* question. Suppose all the promised advantages real and certain, it will by no means follow, that therefore the King's and the Marischal Colleges ought to be united. This is a point totally distinct. The society of lawyers in Aberdeen have, with a propriety becoming their professional knowledge, attended to the distinction; for though the application was from *the Professors who wish to promote an Union of the Colleges*, and for information of "the sentiments of that society as to the probable success of Law Classes in the *united University*, and their utility to the young men of this city and country:" yet they give their opinion simply concerning the utility of such classes, and the means which they were disposed to use for the success of them, carefully avoiding the remotest allusion to an *Union*.

From the advantages held forth, it cannot be inferred that the Colleges ought to be united, because, even waving every point of right, these advantages may be obtained without their being united. The Marischal College affirm indeed, (Reply, p. 40.) that they cannot "be attained in any other way than by an Union;" but it is mere affirmation: and they add, that our suggestion (Memorial, p. 13.) of the possibility of their being obtained, provided the success and utility were previously ascertained on a fair trial, by "superadding medical classes to the present establishments, was not surely intended for serious consideration; and therefore they take no farther notice of it." But we meant it for, and think it well entitled to, the most serious consideration. It would clearly answer all the proposed ends of an Union, without either forfeiting any present advantage, or encroaching on any right. It is a means of obtaining such ends, recommended by many precedents; whereas an Union, as a means of them, has not a single precedent. In King's College, a Professorship of Divinity has been long ago *superadded* by the Synod of Aberdeen, and afterwards farther endowed by the bounty of the Sovereign, and by this bounty alone, a Professorship of Oriental Languages, and for some time one of Mathematics, were likewise *superadded*. In the Marischal College, not to mention the Professorship of Medicine, those of Divinity, Mathematics, and Oriental Languages, are all *superadditions* to the original Foundation, by the donations of private persons. In the University of Edinburgh, five or six of the Medical Professorships, those of Church History, Natural History, Rhetoric, Astronomy, and we believe some others, are *superadditions* to the former establishment; most of them within no long period, several of them very lately; that University never dreamed of seeking for these advantages by insisting for an Union with the University of St. Andrews, or the suppression of any of its Colleges or Professorships; it obtained them by totally different means. Similar *superadditions* have taken place, and by similar means, in both the Universities of St. Andrews and Glasgow. When there are so numerous examples, we are unable to guess at any good reason why they should chuse to represent our suggestion as an ideal project, undeserving either of answer or consideration.† It is really and obviously the first expedient that should have been thought of. If many persons of high rank, influence, and opulence, are really so perfectly convinced of the greatness and certainty of the public advantages held forth, as is asserted by the projectors of the Union; and if there are "the strongest assurances that public and private bounty will not be wanting to assist" them with respect to some of their objects; (Reply, p. 41.) there can be no impossibility of all proper improvements being obtained by the like means as in other Colleges. For we would think it highly disrespectful to these Noblemen and Gentlemen, to suppose for an instant, that they would employ no part of their opulence for ends which they reckon of so great public utility, or that they would not use their influence for promoting them by *any other* means, more readily than by a subversion of the present Foundations of both Colleges, or an encroachment on the rights, privileges, and property of the King's College. Both these are clearly points of *right*, not of mere *expediency*.

The two Colleges are at present separate Corporations, standing each on its own Foundation, solemnly ratified by Acts of Parliament; and the proposed Union necessarily implies the annulling of the Foundations of both, and the dissolution of the now subsisting corporations. All posterior donations are made to the Colleges as separate corporations, and are held under their separate Foundations and Charters: and in the pleadings for the city of London, in the famous contest with King Charles II. about their charter, it was urged, that if their charter were broken, all the public endowments and charities lodged with the city must revert to the heirs of the donors. (Burnet's Hist. 1682) And Blackstone lays it down as a first principle of law, that in case of the dissolution of a corporation, "their lands  
" and

† "If the Professors of the Marischal College stand in need of an addition to their salaries, or it be judged a measure of public utility to enlarge the plan of Education, particularly in the branches of Law and Medicine, means might be found for effectuating these purposes, without encroaching on the rights and revenues of an ancient and respectable University." *Presbytery of Tain*.



"and tenements shall revert to the person, or his heirs, who granted them to the corporation." (B. i. C. 18.) In the case of the two Colleges, none of the legal causes for the dissolution of a corporation, neither the natural death of all its members, nor forfeiture of its charter, nor a surrender of its franchises, (Blackstone B. i. C. 18.) has taken place, at least with respect to the King's College; and consequently it can, in law, be dissolved by no means except the boundless operation of an Act of Parliament. But without dissolution, the proposed Plan of Union cannot be effected.

The King's and the Marischal Colleges being not only separate corporations, but perfectly independent on one another, the one cannot with any shew of *justice* solicit a dissolution of the other, a subversion of its Foundation and Charters, an abridgment of or participation in any part of its privileges or property, or at all intermeddle in its affairs. To solicit it without the consent of that other, much more to attempt compelling it in the face of its declared opposition, is an attack upon its *liberty* as well as its property, which all good laws render unwarrantable from any society or any individual towards another, and which is peculiarly repugnant to the nature of a free Government.

These two Colleges are moreover situate in different towns, and have very different constitutions and privileges. The King's College is situate in Old Aberdeen, legally erected into an University, over all the bounds of which it has the amplest, and in respect of its members the exclusive, jurisdiction: it has likewise the valuable privilege of electing eight of its own members, and a share in the election of another; and it has a revenue sufficient, and likely long to continue sufficient, for all the purposes of its institution. The Marischal College has no University privileges or jurisdiction; not a jurisdiction over its own Members or Students for any thing except what is done within the narrow walls of the College; the Act of Parliament which ratifies its Foundation, reserving in express terms the jurisdiction of the Magistrates of the Burgh of Aberdeen, over them in all other cases: it has not the election, nor a share in the election, of a single member; and it has a much inferior revenue, and the management but of a small part even of that. The two parties being on so unequal terms, the Marischal College would gain a great deal by an Union, but can offer no equivalent; the King's College would lose a great deal without receiving any compensation. That the former should pretend to compel a communication of the privileges and revenue of the latter, is inconsistent with every idea of justice, and precisely similar to one man "insisting with his richer neighbour, that their estates should be "thrown into one, and equally divided between them." (Memorial p. 12.) They object to the aptness of the comparison, that "the injury done to the richer neighbour is obvious, but in the case of "an Union, neither the present Professors of King's College, nor their successors, would be injured." (Reply p. 38.) That both would be materially injured, shall be proved by and bye. In the mean time, we must observe that the objection rests on a false conception of the members of King's College as merely so many *individuals*, not as a *Corporation*. These are two very different ideas, and clearly and industriously distinguished in law. Yet this is not the only instance in which they shew ignorance of this obvious and important distinction: they "utterly deny (ib) that the Professors of either College "are possessed of any right, extending beyond their own lives, or invested with any trust, that can "bar improvements on their respective institutions;" and they adopt the expressions of "a friend of the "Union, that the members of any University are only tenants for life, in endowments for public Utility, which therefore are not their freehold." To have rendered it at all applicable to the present question, they should have denied that "the present Professors have any right extending beyond their "own lives, that can bar the subversion of their present institution, or entitle them to oppose its being "swallowed up by another the moment they die." But their denial, however peremptory, and the confirmation of their friend, even tho' he assumes the signature of *A Procurator*, we cannot hesitate to pronounce unworthy of the smallest regard, because we know it to be diametrically contrary to the very idea of a Corporation. From the most respectable authority of Blackstone (B. i. C. 18.) we learn, that the consideration of all personal rights necessarily dying with the person, and the inconvenience or impracticability of investing a series of individuals, one after another, with the same identical rights, are the very circumstances which occasioned the creation of corporations; that when once constituted, they are artificial persons, who may maintain a perpetual succession, and enjoy a kind of legal immortality, for the very purpose of preserving entire and for ever those rights and immunities, which, if they were granted only to those individuals of which the body corporate is composed, would upon their death be utterly lost and extinct; that all the individual members that have existed from the foundation to the present time, or that shall ever hereafter exist, are but one person in law, a person that never dies; and the case of a College in either of the Universities, is the very example which he selects for illustrating these positions. From him too we learn, that one person only and his successors in some particular station are often incorporated by law, in order to give them some legal capacities and advantages, particularly that of *perpetuity*, which in their natural persons they could not have had; that the *freehold* of revenue and emoluments is vested by the donor in the then person, not in his *natural* capacity, else it would on his death descend to his heir, and be liable to his debts; but as *incorporated*,



porated, by which means all the original rights are preserved entire. On these principles it is clear, that the present Members of both Colleges are not at all *tenants* for life; that their emoluments are their *freehold* during their lives; that they have a *right* to preserve both the existence and all the privileges of their corporation, no less beyond, than during their lives; and that they are vested with a *trust* and lye under an *obligation*, without violating which they cannot neglect either the one or the other. Tho' the terms of Union proposed by the Marischal College, were not injurious either to the present Members of King's College or to their successors in their *individual* capacity: yet if they be injurious to their *corporation*, if they take away its existence, if they lessen its independence, if they invert any part of its revenue to persons or purposes foreign to its present foundation; if they admit such foreign persons to an equal participation in its ample privileges; the Marischal College cannot offer, much less enforce, such terms, without the most manifest injustice, nor could the King's College adopt them without flagrant breach of duty, for it would injure their *corporation* in the very same way as the junction and partition of estates, which we supposed, would injure the richer neighbour. The injury is done to those who *ought* to have been the successors, to have hereafter composed the corporation if it had not been subverted, and to have enjoyed its privileges and estates for ever. If it be pled that there will be no real injury, because, as was urged for one point on a former occasion, "the University will, after the Union, have but one common interest," we answer that this plea would equally apply to Gresham, Winchester, or Manchester Colleges being admitted to a participation of all the privileges and riches of Oxford or Cambridge, or to the poorest village being received into an equal share of the immunities, jurisdiction, and funds of the greatest city. It would be alike true that, after the junction had taken place, the whole aggregate body could have but one common interest. If in such cases the greater society can be said to receive no injury, it is solely because the junction would be its legal death as a corporation; it would cease to be susceptible of injury, only because it had ceased to be. (Nay if it were proposed to suppress both Colleges as soon as all the present incumbents had died out, it might be argued on the very same principle and with equal force, That no person could possibly be injured by it.) But the previous question is, whether, in order to so unequal a junction, the lesser society can in justice be allowed to put it to that death? This is the present question between the two Colleges; and it is a question of *right*, and a very important one. Their present state is so unequal, that it must be very difficult at least, to conceive any plan of uniting them into one College, which would not be injurious to the King's College, as a corporation. Its being injurious to it in this light alone, we pronounce to be a sufficient reason for rejecting it, with the greater confidence, because we find ourselves supported by the highest authority in the kingdom, acquiesced in by the House of Lords. A Bill was about four years ago brought into Parliament, and had passed the House of Commons, for enabling the heads of two Colleges in Oxford to marry, who were debarred from it by the statutes of their Founders. It could not possibly hurt the present incumbents, who wished for it, and it could as little hurt their successors, for it would have enabled both to have retained the place for life. But when the second reading of it was moved, (March 12. 1783) the present Lord High Chancellor argued against it to this purpose, "That by altering and making perpetual to a married state, that which only belonged *prætempore* to a state of celibacy, it affected the estates of the Colleges, their property, and their chartered rights; it gave away their property, by altering the tenure under which the inheritance was held, and consequently did essential injury to the real heirs of that inheritance; that if it passed, no property was hereafter secure to the legal heir, for without trial he could be made illegitimate by Parliament, and his inheritance given away to one who was an alien to the person whom the deeds of the estate pointed out as the lawful successor; that the other sixteen Colleges, tho' not mentioned, were yet most essentially concerned; that it affected the public, as well as particular communities; that it was a matter of infinite consequence, that emphatically called upon the House to give it all their attention, to give it every serious consideration." The reasoning was so convincing, that without a word of Reply, and without a division, the Bill was rejected. But against the proposed Union, it concludes with infinitely greater force, because that would more deeply affect, not only the incorporated rights of the King's College, but also the property and all the privileges both of its present Members and of their successors.

To begin with the right which the King's College have of electing eight of their own members. To this it is acknowledged that "a strict regard is due," and the Unionists profess their "desire that it may remain untouched," and that they "do not expect any share in the Patronage of Offices belonging to the King's College, during the lives of the present members." (Reply, p. 38.) But it has been an article in every plan of Union hitherto proposed, that of the two Principals, the two Professors of Greek, and the two Professors in each branch of Philosophy, the survivor should become the sole incumbent, and enjoy the greatest of the correspondent salaries: and though the Marischal College have availed themselves of the *vagueness* of their present *Outlines*, to keep it out of sight, their expectation that the establishments proposed by the Union may be carried into execution "very soon," (Reply, p. 41.) and many things in the tenour of their writings, necessarily imply that it must be an article in the present plan; for if it were not,



not, the Union could not have its full effect till after the death of every individual who now occupies any of these offices in the Marischal College. But if it be an article, the present members of the King's College may be, and, considering that they are older men than the correspondent members of Marischal College, there is the highest probability would be, *totally deprived* of their right of election during their whole lives. Five of the offices in their gift would be already filled up for the first vacance, with present members of Marischal College, not elected by them or their predecessors, nor according to the rules of their foundation; and consequently in the strongest sense *aliens to the persons whom it points out as the lawful successors*. The deprivation might extend also to the successors of many of the present members: and if the right of election were vested in the whole united University, the privilege of the present members and their successors in their respective offices, would be greatly infringed, by the admission of six new persons into an equal participation in it. But the proposal of the Marischal College goes much farther still, even to deprive the united University of some of the patronages actually belonging to the King's College. They are much offended at our hinting, "that other Patrons may be dissatisfied;" (Reply, p. 38.) we have good reason to affirm that they will be dissatisfied, if they shall be either deprived of their patronage altogether, or confined to a vice in the exercise of it; and they are soothed (Observations) by an assurance that this is not intended. But in the event of an Union it must needs take place with respect to some patron or another; if three of the present offices be suppressed, it is simply impossible that all the present patrons can retain all their present patronages. If it be intended that all other patrons shall retain them, it must be likewise intended that the King's College shall be totally deprived of no fewer than three patronages. But to a surrender of these, they are determined not to give their consent; the Marischal College can have no shadow of right to surrender these for them; the very proposal is contradictory to every idea of justice: there is no law in being by which they can be forfeited, without a fault; they are the *chartered rights* of the King's College; and the Legislature is not ready to make new laws against such rights. Any observation on this subject is as "competent to be adduced" by the King's College, as by any other Patron in either College; and, considering the intention of their opponents, they have the greatest concern in it. The right of election is a very important privilege: it puts it in the power of the College to fill its places, with persons well qualified and likely to prove agreeable and useful Colleagues; both which points they are proper judges of, and deeply interested in. It is likewise a right capable of being estimated in money, by known and customary rules; and according to the ordinary estimation of advowsons, the value of the patronages vested in King's College is above 7000*l.* sterling. Whether this College should be, without its consent, deprived of a privilege so important in every light, and that at the request of a rival College which has no such privilege, is a question in which justice and the security of all rights are deeply concerned.

To what extent the proposed Plan of Union would be injurious to the King's College in respect of the seat, it is impossible precisely to say, because the proposers have industriously concealed what it is that they intend on this point. A distribution of the classes they explicitly propose: but against any distribution there are many strong objections. There may be little inconvenience in two distinct Colleges belonging to the same University lying at some distance, provided they be both within the bounds of that University: but that different classes of the same College should be placed at a mile's distance, in two different towns, one of them without the University, and subject to a totally different jurisdiction, is a thing hitherto unheard of; it is inconsistent with every idea of a College; it would almost infallibly break the Members into parties; it would destroy all regular academical discipline; it could not, by any possible distribution, promote either 'convenience or the interests of good education,' but the contrary; it would, at the same time, unnecessarily create the expence of supporting two large fabricks, with additional buildings, for defraying which, if the funds can be rendered sufficient without perverting them from their proper purposes, it must be by some means not yet pointed out. From the Principal and any seven or even eight Professors being fixt as *part* of a College, to Old Aberdeen, the King's College could 'derive no additional dignity,' but must plainly lose much of the dignity which it now has by being an *entire* College including a Principal and nine Professors, and constituting an University: but any distribution which we have a shadow of reason to imagine that the Marischal College intends, would not only lessen the dignity, but take away the existence, except in name, of the King's College. What that distribution is, they are obstinately silent; they only design to give an *ipse dixit*, that it is not liable to the objections which our Memorial states against the distribution of classes proposed in 1770. These objections, in one place (Observations) they call 'frivolous;' but in another place (Reply p. 45) acknowledge to be 'considerable and popular:' for any thing they have yet advanced, we may call them unanswerable, and from their still persisting in concealing their specific proposal, we are warranted to conclude that it is liable to them. The distribution then proposed, by leaving in Bishop Elphinston's College, only the Principal and Professor of Laws, out of all the Members founded by him, is, not the grossest *encroachment* on his Foundation, but the *annihilation* of it, and the *extinction* of his College. An encroachment there will be, if any of the present offices be fixt to New Aberdeen; and without this, the distribution of half the

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Professors to each town would be impossible. It has been always taken for granted, so far as we know, that the Medical classes are to be opened in New Aberdeen; if they be (and there is the same reason for the Law classes) it is not easy to see how half the classes can be fixed in Old Aberdeen. The six classes for Philosophy, Greek, Mathematics, and Humanity cannot be separated in any consistence with either convenience or order, nay without absurdity; for the students in all these classes are convened every day for public prayers, and are subject to one common, and necessary, discipline; and those of the two last classes attend some of the others at the same time. It has never been pretended by the Marischal College, that it is their design to fix all these classes in Old Aberdeen; if they had proposed it, if they had not even given some intimation of an opposite design, we are certain either that they would not have had the concurrence of the Town Council of Aberdeen, or that in concurring these would have exceeded their powers, because by an Act of Head Court, March 25, 1747, they are precluded from agreeing to any Union of the Colleges, except on condition that the seat be in New Aberdeen. But if only these six, together with the Medical classes, be fixed there, there cannot remain *one half* the classes for Old Aberdeen, nor any number either of classes or students which could prevent the King's College from being so deeply injured as to be reduced to a mere shadow, and the city of Old Aberdeen from suffering materially in its interest and its *rights*, to which justice requires that some regard should be paid in every case. A distribution of the classes would likewise incroach on the *jurisdiction* of the King's College,\* by removing half the Professors and great part of the Students, beyond the limits to which that jurisdiction is, by the erection of the University, confined. If any of the Professors of this College were transferred to New Aberdeen, it would infringe the rights of them and their successors, by depriving them of the immunities to which within the University they are entitled, or by subjecting them at once to two jarring jurisdictions, that of the University, and that which the law has carefully reserved to the Magistrates of Aberdeen over all the Members of the Marischal College. If any of those Professors of King's College who have Manse or glebes annexed to their offices, were removed to New Aberdeen, it would moreover encroach on the right of property and the interest of themselves and their successors for ever. To the public, the seat is not a matter of indifference; the charter of erection by K. James IV. assigns several reasons for fixing it in Old Aberdeen, all which by no means hold for New Aberdeen: but in respect of the King's College, as being in so many respects connected with its corporate rights and privileges, and those of the present incumbents, and of their successors, it is a very important, and a pretty complicated, point of *right*.

The Plan of Union as described in the *Outlines*, was so palpably injurious to the King's College with regard to its revenue, that the projectors of it have thought it necessary to explain their terms into meanings not very obviously implied in them. They had said that "none of the present incumbents shall be deprived of any salary, emolument, or perquisite, which he *at this time enjoys*;" (*Outlines*, p. 5.) they assert that this article, in *perspicuous* terms, secured to these incumbents "all augmentations to which they would have been" (*at any future time*) "entitled if no Union had taken place;" (*Reply*, p. 38.) and they assert that this was understood by every other person, to be the meaning of the terms, and very candidly declare their belief that we "*chose to mistake it*;" (*Observations*) as if it were so perfectly plain that *enjoyed at this time* is synonymous with *to be enjoyed at any future time*. They have now however declared their intention with sufficient perspicuity; and have added, that none of the present incumbents shall be "deprived of his manse, or obliged to quit his residence, *whatever may be required of his successor*, but 'shall be at liberty to reside and teach where he pleases.'" (*Reply*, *ibid.*) But how all these fair promises can be accomplished consistently with the *Outlines*, we are totally at a loss to see. If any of the present Professors of Philosophy and Greek in the King's College, opponents of the Union, should be obliged to retire on his salary, and any proportion below a half (and so much never has been, nor in reason could be, proposed) of the fees of the class taught by his opposite; he would necessarily be deprived of a part of "his present emoluments and perquisites," and that too at a time when all these Professors have families, and are too far advanced in life, and too long fixed in their habits of living, to be able to retrieve their loss by turning themselves to another employment. If any of the Professors of King's College were to continue in the exercise of their offices in classes appropriated to New Aberdeen, on account of convenience or their natural connexion with other classes there; their teaching such classes, during their life, in Old Aberdeen, would make the united College a mere chaos of confusion during that whole period; and their teaching such classes in New Aberdeen, would necessarily oblige them to "quit their place of residence," and lose the benefit of their manses and other accommodations. It is only on the supposition that all the

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\* This, of which the Marischal College seem to have no conception, Lord Findlater knew to be of so great moment, that he gave his decret in 1755, fixing the seat, in case of an Union, to New Aberdeen, with this express condition, "Providing always that the Magistrates and Corporation of the said Burgh shall concur in an application to the Legislature, praying that, notwithstanding the present privileges of the burgh and its Magistrates, the Legislature may strengthen and extend the Authority of the Principal, Professors and Masters of the united University, so as to enable them to summon and bring to the College, by their own proper officers, any of the students they shall think fit, in whatever part of the town they shall be lodged or found, and to try and punish them conform to the rules of the University, for all such breaches of order as are proper objects of College Discipline."



Professors in King's College now receiving fees, continue for life to teach, those of Marischal College, retiring on their salaries with a very moderate proportion of the fees; and likewise that all the classes taught by them be fixt in Old Aberdeen, that the former can be preserved from losing any of their present emoluments: but that either the one or the other of these is intended, has never been hinted in the remotest manner. It is not however dissembled that things of this sort, in which indulgence is given to the present incumbents, 'may be required of their successors;' [Reply, *ib.*] and that some 'equalizing measure [we 'understand not the precise meaning] may take place at a distant period:' [Reply, p. 38.] but these incumbents repeat their declaration, that they reckon themselves as sacredly obliged to preserve every convenience and interest to their successors for ever, as to themselves; and could regard their acceptance of any indulgence, in these or other instances, for their own lives only, in no other light than as receiving a bribe for basely betraying the property which would, in the present state of their College, descend intire to their successors. The assertion of their Outlines, altogether general and unrestricted, that 'all augmentation of 'salaries shall be confined to those Professors who *receive no fees*;' they have since explained to mean, that 'all augmentations by the progressive improvement of the funds from which salaries now arise, shall 'extend to those Professors who *do receive fees*.' The explanation, however little founded in the text, was absolutely necessary for avoiding gross injury, probably to the present Members of King's College, certainly to their successors; and for preventing the hazard of their offices becoming, at a future period, so poorly endowed as to ruin the College altogether. For effectually avoiding all this, it is likewise necessary that these funds continue under the exclusive management of those whose interest is connected with the *right* management of them, and the application of them to the *very purposes* for which they were bequeathed; that is, the present Professors of King's College, and their successors in their *respective* offices; subject only to the same controul as at present, from the University officers, and the laws of the land: for other persons joined with them in the management, could not be supposed either so zealous for the prosperity of these funds, or so careful to invert no part of them to other purposes in which they might have a nearer concern; and without such inversion, no part of the revenue of King's College could ever be applied to promote any of the new objects aimed at by the Union, because they are already otherwise appropriated by its Foundation. If it were not so necessary as it is for securing these ends, yet it would be but equitable; for we cannot perceive how the Marischal College, which has been entrusted with the management of only about 300l. a-year of its own revenue, for the support both of Masters and Bursars, can, with modesty or justice, without a total disregard to our corporate rights, claim to be admitted by the King's College to a joint management of its revenue, amounting to above 1400l. yearly; how it can, on any terms of equality, propose an Union with it; much less think of compelling an Union on terms dictated by itself.

While the Plan of Union is, in every point of view, so injurious to the King's College, it is plain from what has been said, that the Marischal College would gain a great deal without the smallest equivalent: and it may be added, that all its present Members would have a good chance for finding their own private interest considerably promoted by it. It has been remarked already, (p. 80.) that they over-rate their salaries, by reckoning two years of very uncommon dearth, among the five from which they strike the medium. (Append. No. 6.) They under-rate the salaries of King's College much more, by taking them from a state in which the victual is reckoned at the legal, low, conversion of a hundred merks Scots *per* chalder; so much more, that the amount of them, according to a medium of the same five years, would have been, the Principal's 178l. 13s. with a house and garden (instead of 136l.); the Sub-principal's 92l. 0s. 9d. with a house, garden, and glebe; and the other Professors of Philosophy and Greek, 75l. 12s. 4d. each, (instead of 68l.) with a glebe and a house let by the College at a low rent. But reckoning the victual at a fair medium conversion, the salaries of King's College, with the houses and accommodations which accompany them, are so far superior, that the Members of Marischal College would be great gainers by succeeding to them, for which too [as well as for falling in to the fees of numerous classes] they would have a good chance, as being for most part the younger men. By such succession the Principal would gain at least 38l. a-year; in his other capacity of Professor of Divinity, a salary indeed not much larger, but with an exemption from weekly preaching, or the expence of providing it: the Professor of Oriental Languages about 46l. the Professor of Medicine 76l. one of the Regents 30l. and the rest 10l. not to mention one of them having an opportunity of an establishment in a medical department. The Professor of Mathematics would immediately reap the full advantage of the numerous classes: the same advantage would accrue to one of the Members of King's College who favours an Union, the Professor of Humanity. We only mention the matters of fact; we affirm not that the desire of these private interests has been their motive in so keenly promoting the Plan of Union. The same degree of candour would have prevented the many insinuations which they have published of our opposition proceeding from illiberal, and private views, and selfish motives, which in private they have not scrupled to specify, as confidently as if they had known our hearts.

While the proposed plan of Union is so deeply injurious to all the rights, privileges, and property of the University and King's College, and so totally subversive of the Foundation and Charters, repeatedly



sanctioned by Parliament, under which it holds them; the Marischal College are at little pains to prove, that their Plan can be rendered consistent with these, [except in a few instances respecting the interests of the *present* incumbents] which surely should, in justice, have been their first business: but on the contrary they direct their chief efforts to evince, that all these deserve no regard at all, but may and ought without ceremony to be sacrificed, to the public advantages which they hold forth; rather, as we have already shown, to their visionary promises of advantages which the public has little chance of ever obtaining. Let us examine their proof of this bold position.

When we said (Memorial p. 13.) that we could not think ourselves at liberty, for the sake of any advantages, to accede to a plan which runs in absolute contradiction to our Foundation, &c. we said only in other words, that we think not ourselves at liberty to do *wrong* for the sake of *advantage*; a maxim which we believe to be hitherto accounted sound morality, at least by every Protestant college. By our having expressed ourselves in so general a manner, they declare themselves 'at liberty to state a case as strong as they please:' (Reply p. 34.) We pretend not to hinder them; but we have a right to maintain, that if the case which they please to state, be not similar to the present case, no argument can be conclusively drawn from the one to the other. They put the case of a Foundation requiring that 'the logic of the schools, the Cartesian philosophy, or judicial astronomy, should be exclusively taught.' It is a case in which the King's College has not the remotest concern, though the Marischal College certainly has; for Bishop Elphinston, whose liberality justly deserves the high encomium which they pass upon it, (*ib.* p. 35.) has only prescribed what sciences shall be taught, leaving the Professors the fullest liberty to teach them in the best manner that the improvements of all succeeding ages should ever put in their power: and therefore from this case, no argument can be drawn for any *alteration* in the Foundation of King's College. But where the supposed case actually holds, we can in a perfect consistence with our former assertion, admit their inference, 'that such a course should not be adhered to, and that funds originally destined to these purposes, would not be misapplied, when directed to carry on a liberal and useful system of education.' Their own words give the reason, These purposes are 'obsolete and useless, or positively hurtful:' consequently the alteration would not be merely for the sake of *advantage*, but for a very different end, for remedying what is useless, *false*, *wrong*, and *pernicious*. It cannot be proved that the teaching of Philosophy and Greek both in the King's and the Marischal College deserves any of these epithets; but till this be clearly proved, there cannot be a shadow of reason for concluding from the case that is put, that the Foundation of either should be altered for the sake of the proposed Union. That case will however account for an instance which has been much insisted on (Observations, Remarks, Reply p. 35.) as a plea for that union, the suppression of the Professorship of the Canon law in King's College: on the reformation, that science, which rested on papal authority, and was adapted to popery, became of little moment; on the establishment of presbytery, it was totally proscribed; this rendered a Professorship in it absolutely *useless*; it would naturally prevent the electors from thinking of filling it up when it became vacant; and no other Professorship being substituted in its place, by any having the power of erection, the salary belonging to it fell of course into the public revenue of the College. The authority which the Unionists produce (Don-aides, Remarks) for a Professorship of Music having ever belonged to that College, is precisely equivalent to the authority of any one of themselves; and if they are resolved to persist in believing it, (Reply p. 35) it must be in defiance of the authority of the Foundation. (Information p. 22.)

They make a distinction (Reply p. 35.) between the *end* of an institution, and the *means* by which it may be accomplished; a distinction for which there is doubtless a foundation, but of which they in vain labour to avail themselves for their present purpose. The very *end*, they observe, may be set aside, "if it be hurtful to sound religion or morality, or contrary to the public good." This was the case of all the alterations made in the Universities at the reformation: it justified, and seems to be the only thing that could have justified them; but it cannot either justify, or render these precedents for, any alterations where the case is different: and till it be shewn that these characters belong to the teaching of languages and the sciences, the ends for which both Colleges were instituted, it cannot, on that principle, be maintained that "either ought to be suppressed." "In regard to the *means*, they maintain "that a greater latitude is allowable, and in many cases even necessary." We can freely admit it, and yet maintain that all the latitude implied in the proposed Plan of Union, is neither necessary nor allowable. For in the first place, that latitude is not confined to the means, but in some measure affects the end. The end proposed by Bishop Elphinston was, that arts and sciences should be taught in the University of Old Aberdeen; and if this end be not at all encroached upon by transferring his College, or a part of it, to New Aberdeen, neither would it be encroached upon, by transferring it to Glasgow or to Inverness. The declared end of Earl Marischal's Foundation was, that Latin, Greek, and Philosophy should be taught both in New and Old Aberdeen; and of this end the proposed Plan of Union is directly and totally subversive. Again, the Founders of both Colleges did not bequeath the revenue simply or in general for education in certain sciences, but fixed the precise proportions of it which should be applied to each particular part of their design; to invert what they have expressly destined for one part of it, to another part, is just as if a trustee for a donation made for several purposes jointly, should



should assume the power of appropriating the whole to one or a few of these purposes; which certainly would be to deviate from the *end* of the donation: nay, to suppress a Principal, and one set of Professors in Philosophy and Greek, would be totally to "abandon the *sole* end of the Founder," at least of the Marischal College; for these are the only offices contained in his foundation, and the very end of it, explicitly declared by himself, is that Philosophy and Greek should be taught in his College, in addition to the establishments for them in the University, which had already existed for near a century.

Farther, even considered as affecting only the *means*, the proposed Plan of Union assumes a greater latitude than we can think at all allowable. If the means 'suited to the usages and state of learning of the times,' which have been appointed by Founders, should become not conducive to the end, or should even obstruct it, it would indeed be 'a hard and illiberal construction, and (whether injurious or not to the memory of the founders) detrimental to the public good,' to maintain that these should be strictly adhered to; and we are far from blaming the Marischal College for abandoning the means of this nature prescribed by their foundation, and adopting better methods of teaching the several branches of Philosophy. But before any argument can be hence derived in favour of the proposed Union, it must be proved that the teaching of Philosophy, by two sets of Professors in two different Colleges, is improper for or destructive of education in Philosophy. If the means prescribed by Founders for attaining the several *parts* of the design which they have in view, be fit for respectively promoting these several parts, but some of them, on an enlargement of knowledge, seem not perfectly adequate to the attainment of that part of the design to which they are subservient; the natural conclusion is, that other means should be sought for, in addition to those already provided; not that the means should be seized for it, which are expressly appropriated to, and which are proper for, the attainment of, another part of the design; but this is the thing proposed in the present Plan of Union.

It is nothing to the purpose, to assert or to prove that 'the opinion of unalterable rules is exploded, or that the propriety of *reasonable* innovations is agreeable to the common sense of mankind.' (Reply p. 35) The point denied by us, and which ought to have been proved, is totally different, viz. that the alterations and innovations now proposed are reasonable, and of such a nature as ought to be made. It is nothing to the purpose, to shew that there are 'many instances of innovations in our Universities;' what ought to be shewn is, that these innovations were precisely similar to the innovations now proposed: but this is not true of any one of them. The Marischal College persist (Reply ib.) in misrepresenting the Reformation of the University of St Andrews in 1579, and thus oblige us to repeat the real state of it. The Parliament passed an Act, Aug. 25 1578, declaring the reasons which made a reformation necessary, giving full power to certain commissioners to visit that University, to reform what needed reformation, and to report their proceedings to the King and Council the first of January next, *that they may tak furthyr ordour thereuntill, gif need beis.* These Commissioners having never met, the General Assembly of the Ministry took up the matter, and on their application, the King, with advice of his council, appointed Commissioners anew for visiting and reforming the University; but their commission contains not a word of *auld foundations, &c. notwithstanding.* These Commissioners met and drew up a plan of reformation, which they reported to the King; and their Report was brought into Parliament 1579, which passed an act, narrating the Act of Parliament 1578, the King's Commission of Visitation, the tenor of the Report of the Visitors; approving and confirming the plan of reformation proposed by them; appointing Commissioners for putting it in full execution, even by force if needful, and indemnifying them in so doing, "the auld foundationis and erectionis of the saidis Colleges and hail University, or ony thing conteint yrin notwithstanding, *granent his Majesty with avise of his saidis Estaitis dispenses.*" The whole is extant in the public Records; and this narrative of the case is given according to a faithful copy from them. But that reformation, thus previously authorised by Parliament, was in no respect similar to the present plan of Union, nor encroached so violently on any rights or charters: That was, for reforming what favoured superstition, idolatry, and popery, and foundations disagreeing with the true religion; this is, not for reforming any thing pretended to be positively wrong, but for taking away what is confessedly right and useful, in order to grasp at uncertain advantages: That did not, as far as appears from the records, suppress a single Professorship in any of the Colleges, and only transferred a Professorship of Law and one of Mathematics from the Theological College, to one of the Philosophy Colleges, with which the latter at least had a much more natural connexion; this suppresses, besides a Principalship, four Professorships, which have always been effective and highly useful, and distributes the rest without the smallest regard to the Colleges to which they now belong: by all which it would 'change the *whole form* of the University,' to an incomparably greater degree, than was attempted in any University, even at that singular and most important æra. For demonstrating that, neither the suppression of the Professorship of Canon Law in King's College, nor the Union of the Marischal College to the University in 1641, has the remotest analogy to the proposed Plan of Union, nothing needs be added to what has been already said, p. 69. — The recent Union of the Colleges of St. Salvator and St. Leonard at St. Andrews, is *seemingly* more parallel to the present case; but even that, the account already given of it (page 69.) evinces to be *really* dissimilar



Similar in many respects : That was founded in *necessity* ; for this, necessity is not so much as pretended, but only a very problematical *expediency* : That was an Union of two Colleges which could, without any inconvenience, be completely incorporated into one seat ; this is an Union (if it can be so called) of two Colleges, by which they are to be, in a manner unheard of, unnaturally and inconveniently divided into two parts, in different seats, in different towns, and under different jurisdictions : That was, of two Colleges equal, nearly in their revenue, and perfectly in their privileges ; this is, of two Colleges, most unequal in both these articles : That was an Union unanimously agreed to by all parties concerned ; this is an Union desired by that College alone which would be a great gainer by it, but strenuously opposed by the other College whom it would deeply injure, and yet attempted to be forced upon it by the former. In no one precedent, therefore, can the slightest justification of the proposed Plan of Union be found : nor can such a precedent as would justify it, be looked for in the records of any country blessed with a free government, or legal security for rights and property.

Such a violation of charters, foundations, and the intentions of Donors, for the sake of supposed expedience, as this Plan implies, would be a precedent of so pernicious tendency as ought to be most carefully avoided, were it only for its great *intexpediency* in a more general and important point of view. If donations made to a College for a particular purpose, shall be perverted from that to a different purpose, though in the same College, reckoned at any time more useful, and if they can be thus perverted notwithstanding the utmost resistance of those whom the donors have appointed their trustees ; few will chuse to make any such donations : and it is a fact that no less than *three* persons, whose intentions of considerable benefactions to the King's College are known to some of its members, have already declared that they will retract them if the projected Union shall take place, because it would cut off all certainty of their being applied to those purposes which they intended. It would no less discourage donations for all other charitable purposes, and to all trustees whatever, whether corporations or others. If the charters of Colleges may be subverted at pleasure, on pleas of ideal expediency, and that at the desire of persons perfectly extraneous to them, or of interested rivals, and in spite of the Members ; so likewise may those of all other corporations, for none are more strongly (many not so strongly) guarded by law, or hitherto held more sacred. And if the charters of corporations once come to be wantonly disregarded, the rights of individuals cannot be long perfectly secure. A precedent of so extensively dangerous consequence, the most liberal, the best principles both of justice and public spirit, require every exertion to prevent.\*

But not only violations of charters, but even deviations from the very intentions of founders and donors, are, in this country at least, provided against by express statute. Act 6. Parl. 1. Charl. 1. runs thus ; " Our Sovereign Lord, with the advice of the Estates, understanding that certaine persons piously disposed, have of late bestowed certaine gifts in lands, &c. in favours of Colleges, Schools, Hospitals, and other pious uses, which, by the administratours, and such others as they have entrusted with the management thereof, are inverted to other uses than the Will of the Disposer, upon some *specious pretences*, contrary, or *different* from the Disposer's intention, to the evil example of others, and the hindrance of such and the like charitable works, against all Reason and Conscience. THEREFORE it is statute and ordained, that it shall no waies be lawfull to *alter, change, or invert* any of the saids gifts, legacies, and other pious donations, to any other use than that *specific* use whereunto they are destinate by the Disposer himself." If this Act had been designedly framed against the projected Union, we could scarcely conceive how it should have been more in point : and we doubt not that there are many standing laws of the same import. In consenting to that Union, we should reckon that we transgressed not only the spirit but the very letter of all such laws : and by them, till they are repealed, we think ourselves protected against all endeavours to compel us.

The proposed Plan of Union appears to be contradictory not only to all laws of such general tendency, but to a special law, the act for securing the Protestant Religion and Presbyterian Church Government, declared

\* " It would be of very dangerous consequence, was the Legislature to make any essential alteration in the Donations made to these Universities, or their franchises, as that might prove a total check to such endowments in future." *Freeholders of Inverness-shire*. " The public utility of the measure cannot induce us to think, that Charters and rights so old as those possessed by King's College should be overturned or in the least violated, as we humbly think must be the case if the intended Union should take effect." *Presb. of Sky*. " We consider it as an attempt to overturn foundations, and infringe ancient rights and privileges, and therefore it ought not to be urged, encouraged, or countenanced." *Dingwall*. " It would be a dangerous precedent, to overturn Foundations and charters solemnly granted, and that too without the consent of those who enjoy them, and who reckon themselves bound by their oath to maintain their rights and privileges as they stand. By this a door might be opened for annulling and unhinging other Charters, by which our most valuable rights, and civil and religious liberties are secured to us." *Chanonry*. To the same purpose *Tain*. The Presbytery of *Dornoch* " very seriously and heartily disapprove the intended junction of the Colleges, however specious ; because, if the legislature should, with an arm of power, dispose of the revenues arising from donations made to these societies, no man in his senses would ever think of contributing to the endowments of a College again ; and if charters and acts of Parliament, which have stood for so many ages the *murus abaneus* of their mother College, are no longer a security to her rights and revenues, no society can be safe that has any thing to lose."



declared to be a part of the articles of the union of the two kingdoms ; which provides, That " the Universities and Colleges of St. Andrews, Glasgow, Aberdeen, and Edinburgh, *as now* established by Law, shall continue within this kingdom for ever." And this Act, as much as any of the other articles of Union, is expressly declared to be unalterable by any future Parliament. If it be said that this act prevented not the Union of two Colleges at St. Andrews ; it is answered, that in that case it was not attended to or pled by any, nor was it a parallel case : but on a late proposal for only reducing the number of the judges, without taking away any Court of judicature, it was attended to, and urged with effect. According to the most liberal or loose construction that is at all consistent with the purposes for which it was intended, it cannot but lie, in its utmost force, against the present project which totally subverts the constitution, and invades the rights of the University of Aberdeen as it then stood, annihilates one whole College of Arts, deprives the public of certain advantages for the sake of precarious and improbable prospects ; and which is carried on in acknowledged opposition to the judgment of that University : That it does preclude such a project, we can maintain on the authority of as able lawyers as any in the kingdom.

In corroboration of their argument they introduce (Reply p. 36.) a great deal of declamation concerning the unwillingness and tardiness of Professors and Universities, in adopting new improvements in the sciences, and their too obstinate adherence to old rules and customs : but what they say is totally inapplicable to the present question. It is doubtless blameable to persist in teaching any obsolete or futile science, or in teaching any useful science in a manner adapted only to an imperfect state of it, and with the neglect of later discoveries in it : but with this, the Professors of either College are little chargeable ; and against this alone the declamation could have weight. To take away establishments for teaching arts and sciences unquestionably useful, (and such Greek and Philosophy doubtless are) and establishments, consistent with their being taught in the best manner, and conducive to their being taught with greater diligence and to greater numbers ; this is an innovation of a very different nature : but except their declamation prove, that it is blameable not to grasp at this innovation, in speculation of precarious advantages in relation to other sciences, and that the reluctant may be compelled to embrace it at the expence of their charters, rights, and privileges, and notwithstanding all the protection that the Laws can give them, it is wholly beside the purpose for which it is introduced. They seek assistance (Reply p. 37.) from the authority of a great writer ; but they press his words into the service of their cause, in contradiction to his meaning : for nothing can be plainer (and it is plain even from the last words of their own quotation) than that he has in view, not opposition to the suppression of an establishment for one useful science in order to the teaching of another, but solely adherence to the old scholastic system of philosophy, and neglect of the more improved modern philosophy ; a point with which their plan of Union has not the shadow of connexion. Indeed in the same chapter, and even in the paragraphs from which they have taken their quotations, they might have found sentiments the most unfriendly to that Plan ; and his authority is so *particularly respectable* on all the accounts mentioned by them, and on others likewise, that their having appealed to it may well excuse our quoting some of them. " The rivalry of competitors obliges every man to execute his work with a certain degree of exactness. Rivalship and emulation occasion the very greatest exertions. Great objects, on the contrary, unsupported by the necessity of application, have seldom been sufficient to occasion any considerable exertion. Whatever forces a certain number of students to any College or University, independent of the merit or reputation of the teachers, tends more or less to diminish the necessity of that merit or reputation." A course will be taught " with more or less diligence, according as the constitution of each particular University happens to render diligence more or less necessary to the teachers." These sentiments coincide so perfectly with some of our principles and conclusions, (even such as have been blamed for illiberality,) that we can have no difficulty to believe, what has been told to us, that the very ingenious and able author is not unacquainted with the proposed Plan of Union, and disapproves it.

It is affirmed (Reply p. 36.) that in all former attempts for an Union, '*expediency* was the only point attended to, and that the objections (in point of *right*) now insisted on, were not even mentioned.' If it had been so, it would be of very little moment : the proper question is, whether the objections be valid ? not, at what time they happened to be started ? But the writer has been misinformed of the fact. In 1754 the whole Members of King's College did object against the removal of the seat to New Aberdeen, not only as *inexpedient*, but as hurtful to the *just rights and privileges* of that College, and as *destructive* of their *common revenues and privileges* : (Memorials 1755 p. 35.) And on this ground they actually rejected the plan of Union then proposed ; though it appeared in other respects *expedient*, and though, as a foil to set off the *liberality* of the present plan, it be held forth as well calculated for the purposes of private interest. In 1770, both the Principal and the Professor of Greek explicitly and uniformly declared against an Union, on the very ground of its being subversive of the Foundation and Charters of King's College, and injurious to its rights and privileges. The dissolution of a corporation by surrender of its franchises, Blackstone pronounces to be a kind of *suicide* : and this guilt the Members of King's College could not but incur, if they should give their consent to any thing so destructive of its franchises, as the present plan of Union has been demonstrated to be.

They are withheld from giving that consent, by another very sacred obligation, their solemn oaths.



By some writers for the Union, this plea has been treated with a levity highly indecent, and even profane, on such a subject; and with a scurrility for which few men would take the advantage of their being anonymous, charging violations of oaths on account of transactions either fictitious, or which total ignorance of the Foundation, could alone lead to suppose inconsistent with it, and of discontinuing usages founded in Popery, which have for ages been discharged by the Laws of the Land. — One Member of Marischal College (Defence p. 55, 56.) contents himself with intimating, that what the Members of King's College did in regard to former proposals for an Union was inconsistent with their oaths as now interpreted by them; expressing his astonishment that they should never have found out till now, the meaning of an oath taken at their admission; and inferring that either the oath must be equivocal and good for nothing, or that they *never imagined till now that perjury is a crime in a Professor as well as in any other man*. How well this good-natured charge is founded, will easily appear. From the account already given (p. 69, 70.) of the treaty of Union in 1754, it is very clear that the views of the Members of King's College were, by no means to infringe the rights or revenue of that College, the reduction of Patronage being amply compensated by the accession of revenue; but on the contrary to enlarge them by the appropriation of the Marischal College to it in the same seat; and that, the moment they discovered that they would be infringed by the single article of the seat, they renounced any Union whatever; in which conduct they shewed a scrupulous adherence to their oaths, in the very meaning now put upon them. The Memorials then published, and which have been quoted in the present controversy, bear (p. 35) as one reason for that conduct, that 'their common revenues and privileges, they were by a *very solemn oath* tendered to them at their admission, *bound to maintain*:' a demonstration that they understood their oath in the very same sense forty years ago, as now, and that they as much imagined perjury to be a crime, and as heartily detested it. In 1770, the proposal was not, to revive the Plan of Union formerly rejected, but to make trial whether another more unexceptionable might not be struck out: certain articles were prepared by Committees, of which some Professors of King's College were Members, but prepared only for *discussion and examination*; the very Members who consented to their being *proposed*, and still more all their Colleagues remained at full liberty to reject them; many of them they did disapprove, and would have rejected, if the scheme had not vanished by other means; no one article of Union was *agreed upon* by the Colleges jointly, or by the King's College separately; where nothing at all was determined, there could not possibly be a violation of any oath; and, on the very footing of their oaths, two members all along opposed the whole scheme. — In the Reply (p. 37.) this topic is treated with a more becoming decency, though we cannot say, with conclusive argument. To deviate from the plain literal meaning of the words of an oath, we hold to be equivocation and evasion; and to assume a liberty of departing from the determinate *letter* of a foundation, under pretence of regarding its *spirit*, would open a wide door for such practices. The spirit of a Foundation is always less determinate, conceived variously by different men, and may be pled by some for very unwarrantable latitude of conduct; but if that may be supposed the *spirit*, which is absolutely *contradictory* to the letter, there is no degree of abuse or perjury which it may not be made a pretence for justifying. To reconcile giving consent to a scheme of Union which, in such a manner and in so many respects as has been already shewn, infringes the privileges, rights, and revenue of the King's College, dissolves its present Foundation and charters, and destroys its very existence as in these defined; — to an oath which expressly obliges, *statuta et constitutiones observare, singula PRIVILEGIA DICTI COLLEGII defendere, commodum et utilitatem EJUSDEM juxta posse suum procurare*; or to the concluding adjuration in the Foundation, that none of the Members shall presume to contravene, or to *ask* from the Pope or any other person dispensations or rescripts, *directe vel indirecte, seu quovis alio quasito colore, per se vel per alium, adversus hujusmodi erectionem seu foundationem in toto vel in parte, aut quantum in eo vel eis est ab aliis impetrare non PERMITTANT, sub pana perjurii, infamiae, vel inhabilitatis*; — to reconcile the one to the other, will require, in our opinion, a *looseness of casuistry*, which we shall always hold in the utmost abhorrence.

We cannot read without indignant disapprobation, the insinuation (Reply p. 38.) that it would not be wrong to carry an Union into execution without the consent of those materially concerned in it, who reckon themselves barred by their oaths from giving a consent. We disapprove the general principle, and we deny its being at all applicable to the present case. The repliers take it for granted that ours is a *mistaken sense of the oath*: this is a claim, for themselves, to *superior discernment*; but to fix on it a contrary sense, will require all the subtilty of the most dextrous casuist. They make the supposition, that *the interest of the public is at stake*: the expression is ambiguous: if it mean that the public will incur a positive *detriment* by the failure of a measure, in which some concerned are, by an oath, precluded from concurring, the case would indeed be strong, provided that detriment were both clear and considerable; but it cannot be pretended that it is the present case; for though the project for an Union fail, the public will incur no detriment, but remain in full possession of all the advantages which it has ever enjoyed: if the meaning be only, that by the measure the public might gain some additional advantages, and no more is even alledged in the present question, the case is not near so strong; and we cannot



not hesitate to say, that it would not justify the execution of any measure in the supposed circumstances, except these advantages were at once *great, absolutely certain, and universally acknowledged*; but for a coercive execution of the projected Union, it affords not a shadow of plea, because the advantages promised from it are not certain or so much as probable; because to the precarious prospect of them, real advantages now actually enjoyed, must be sacrificed; because it runs counter not merely to the words of one oath, but to all the chartered rights of those who oppose it; while, along with all this, that part of the public who are most interested in the matter are decidedly of opinion that it would be, not advantageous, but very hurtful. They acknowledge that *it would be wrong to require the concurrence* of persons bound by an oath, *till their mistake was removed*; yet the Marischal College have required our concurrence, and have treated us with no little abuse for refusing it. But they affirm that *it would not be wrong to carry the desired measure into execution without it*. On this we can put only one meaning, "That it is not wrong for the Marischal College, to arrogate to themselves a title to judge for the Members of King's College, concerning, not only the consequences of an Union, but even their privileges, rights, property, and the meaning of their oaths; and to do all they can for compelling them to act agreeably to this judgment, in contradiction to their own." If this be not an avowed invasion of the *liberty* both of thinking and of acting, we are at a loss to conceive what could be so. The addition, *by competent authority*, can make little odds: it is only an acknowledgement that the Marischal College have not in their *own* hands a power sufficient for the forcible execution of their favourite measure; but we cannot perceive much modesty in the acknowledgment, for such power would indeed imply a *very high* authority. One instance we know of an attempt of the like kind: King James VII. commanded the Fellows of Magdalen College in Oxford, to do what they reckoned inconsistent with their statutes and oaths; Jefferies with the other Ecclesiastical Commissioners enforced the command; the King came in person, and required the execution of it; special Commissioners were appointed for visiting the College, and not being able to obtain the *consent* of the Fellows, took upon them to *carry the measure into execution without it*. All that the King in that instance claimed a right of doing by his *own* authority, the Marischal College, in the present instance, claim a right of soliciting and procuring to be done by some *other* authority: if his claim was universally regarded as unjust usurpation, tyranny, and oppression, (and it was indeed so odious, that the King himself thought proper, in about a year after, to restore the Fellows whom his Visitors had ejected for their opposition,) theirs can in no reason be denied to be an *attempt* of the like description.

The Marischal College however, seem to have had no doubt that they fully possessed the extraordinary *right* of making such an attempt: of their *power* to give it effect, they perhaps held not themselves so certain; but they have spared no pains for procuring assistance in it. The manner in which they employed their pains, we have been obliged, in our own vindication, to expose; (Memorial p. 11. Information *passim*. Answer p. 63.) and we have no inclination to return to the subject: it is the nature and propriety of these aids for which they have employed their pains, that we think it necessary to examine. The judgment of the *public* in favour of their proposed plan of Union, they thought would be of great importance to its success, indeed decisive of it. They affirm, (Reply p. 38.) adopting the sentiments of an anonymous writer, that 'the University is the property of the Public, and that they have a right to model it, so as to answer the main design of the institution, and general utility.' But that writer adds, what is of great moment, though they omit it, 'When I speak of the public, I mean the *legal representatives* of the whole people, joined with the Sovereign, in Parliament:' but of this public, it cannot be pretended that their scheme has as yet obtained the approbation. They use the word *public* in a very different sense indeed, for some noblemen, gentlemen, and societies, declaring their opinions separately. That this public approves their scheme, and calls for it with an eagerness, in not listening to which we are inexcusable, they take every occasion of affirming, and that with the utmost confidence and exultation. But we can now on good grounds say, that even this public does *not approve*, but DISAPPROVE their scheme. They claim 'the almost unanimous approbation of persons of distinguished rank in the North of Scotland.' (Reply p. 42.) But several to whom they actually made application, refused their concurrence; and some who thought favourably of an Union in general, expressly disapproved some of their proposals, particularly in relation to the feat: the list of subscribers in approbation of their Petition to his Majesty, communicated to some of us, when they declared that it was to be transmitted in a few days, amounted to no more than *twenty two*: of these many had not been educated at either of the Colleges, and some do not reside in the north of Scotland; to some their application was seconded by the recommendation of persons who could not but have influence: some, we are well informed, signified their approbation under an idea of its being *generally* agreeable to both Colleges, who would have otherwise refused it: and *all* of them did approve on the representation (and it has been proved to be a very partial representation) of one party; for that of the other party it was impossible that they should have had, because not only the plan itself, but the very design of proposing any Plan, was totally unknown to, and most anxiously concealed from, that party, till after the subscriptions had been solicited, and most of them obtained. To evade the force of this, it is in-



situated (Reply p. 42.) that an Union of the Colleges had been so frequently the subject of conversation for a long time past, as rendered it impracticable to take any person by surprise. But we affirm that since 1772, till the commencement of the present project, we, for our part, have very seldom heard the subject so much as mentioned, scarce ever seriously discussed in *any* conversation. If therefore it has been a *frequent* subject where the Marischal College or their two associates of King's College were present, they have had frequent opportunities of inculcating *their own* views of it; and the more frequent these have been, the greater advantages they have had for prejudging the public in its favour, without a hearing of the other side: and it is a fact, that several persons who had been led by their early representations, to think favourably of an Union, acknowledge that they have changed their opinion since they learned the reasons which lie against it. At the same time, we find no reason to alter our opinion, the grounds of which we have already given, (Memorial p. 12.) that persons of high rank are not those most materially interested in the state of the two Colleges. That the Town Council of Aberdeen, consisting of men in trade, should be led to approve the Union, if they were made to believe that it would bring to the place, even a small proportion of 60,000l. yearly, (Reply p. 40.) cannot appear surprizing; but it may justly prevent their being considered as perfectly *impartial* judges of the merits of the question: their resolution was likewise precipitated on the representation of only one party, without waiting for information from the other, and that even after information had been promised, and attention to it requested; and after all, if the members present were unanimous, all the members of council were not unanimous in that resolution; and we know that their successors would have been still less unanimous. With what knowledge of the matter, it is asserted [Reply p. 42,] that the sentiments of the Magistrates, Trades, and Societies of Aberdeen have uniformly been unanimous for an Union, appears in some measure from the Act of Head Court already referred to, and an Act of Council of the day preceeding, on which it is founded: we know that in all former cases, the whole inhabitants have been nearly unanimous *against* an Union except the seat were fixed there; many of them against it even with that condition; and that very many, not the least enlightened or respectable of them, disapprove the present scheme.—The town councils of *six* other burghs, few of them the most considerable, have given their opinion that an Union will *promote the interests of learning*. But all these bodies together contain very few individuals who have had an education at any college: competent judges as they may be in matters of commerce, their line of life makes it impossible that they can be the best judges of plans for education in the sciences: many of them, we are well informed, pretend not to be at all judges of this matter, but implicitly concurred in the opinion of a few leading men of the council, from whom a declaration had been solicited by persons who were connected or had influence with them. The opinion too which they have given, relates solely to the supposed *advantages* of the Union, which is far from being the principal point in the present question: and if they will say that, for the sake of such advantages, the Foundations, Charters, rights, and privileges of Colleges, may be trampled upon, at the request of persons wholly extraneous, or who would profit by it, they shew but little knowledge of, or little regard to those of their own burghs; for on grounds much more plausible than are even alledged in the present case, it has been often contended that all exclusive corporations in commerce and trades, are not only not useful, but positively *hurtful* to the public, and therefore ought to be annulled without ceremony. To other Town Councils, applications have been made for similar declarations, but without effect.—Of the Clergy, *one* Presbytery, not very numerous, and not unconnected with some of the warm promoters of an Union, have given their opinion, in what respects it would be, not so much useful to the public, as conducive to the eclat of the University. To many other Presbyteries or individual Clergymen, papers in favour of the Union have been most carefully transmitted, and applications made for their concurrence; but it has been either declined or refused. Before the *Reply* was published, there was an opportunity of laying the Plan before the Synod of Aberdeen: and when, notwithstanding the acknowledged pains already taken (p. 42, 43.) to recommend it to the Clergy, that opportunity was neglected of laying it before a body singularly interested in it, as being the Founders, Patrons, and Visitors of a Professorship in King's College; the fair presumption is, that the neglect proceeded from a suspicion that the Synod would *disapprove* it; and from knowledge of the sentiments of the majority of the Members then present, we can assert that this would have been the case. We cannot perceive the propriety of reckoning any Members of King's College, among the *Public* in the present question; and therefore shall only say, that of the constituent members, to whom alone the question belongs in the first instance, all that they enumerate make not one third; that if the rectoral court were conjoined in the discussion of it, a great majority would disapprove the scheme of Union; and that in every case the voice of the majority is the voice of the society. That the scheme is *generally*, much more *warmly*, patronized by the *private gentry, clergy, and richer farmers*, notwithstanding the Unionists' belief of it, and their presumptions why it must be so, (Reply p. 42.) we cannot admit on a bare assertion, till they themselves declare it; especially as we have good access to know, that *very many* of the most respectable persons in all these classes do actually, and many very warmly disapprove it. All these approvers of an Union put together,



gether, along with the unascertained individuals, who may, with any evidence, be reckoned of the same mind, cannot with a shadow of propriety assume the name of *the public*, for the whole north of Scotland and the islands, extending almost from the Tay, to the remotest part of Shetland; nor could they be considered as making up *that public*, even if there were no declarations to counterbalance theirs. If such a public were entitled to reckon "Universities *their* property," to "model them" according to *their* ideas, to insist, that charters be set aside, and donations inverted from the original intention, and that in spite of the Trustees appointed for them, in order to what *they* shall at any time imagine more advantageous; precarious indeed would be all such charters and donations, and no man of common prudence could ever think of giving them.

But in the present case there are many strong declarations from the Public on the *other* side. We are in possession of the opinions of several Noblemen, many Gentlemen of rank, fortune, and knowledge, many learned in the law, many of them educated at these very Colleges, and well acquainted likewise with other Universities, many most respectable Members of the other Scotch Universities; disapproving the proposed scheme of Union in many different respects; and all these opinions given after a fair hearing of both parties, and deliberate attention to the subject. Their Names would add weight to their opinion: and if we reckoned it not indelicate even to give *extracts*, except at their own desire, from the letters with which they have honoured us, their just ideas and forcible expressions would set many of our arguments concerning both the inexpediency and the injustice of the proposed Union, as well as the unwarrantable manner in which it has been prosecuted, in the most striking point of view. But we are under no necessity of having recourse to such methods. Many public bodies, the most respectable and the most materially interested in the state of these Colleges, have, with the same deliberation and fair enquiry, and giving reasons which demonstrate that they had considered and understood the subject, decidedly *disapproved* the scheme. The freeholders, gentlemen, and heritors, of the very extensive county of *Inverness*, at a numerous meeting, (in consequence of a printed circular letter to them from the Sheriff depute, dated near six weeks before, and giving notice that the proposal for uniting the Colleges would be laid before them, and that the papers on both sides were lodged with the clerk,) did all, except four magistrates in the town of *Inverness*, *disapprove* the Union, appoint their disapprobation, with the reasons of it, to be published, and transmitted to their Representative in Parliament: and the meeting was composed of gentlemen independent and intelligent, and many of them educated and educating their sons in the Colleges of *Aberdeen*. The freeholders of the extensive county of *Sutherland*, gentlemen of the like description, have since declared their *disapprobation* of the Union in the same public manner. The Magistrates and town councils of the city of *Old Aberdeen*, very materially interested in the question, and of the Burgh of *Dornoch*, have [declared the same disapprobation. — The Presbyteries of *Tain*, *Chanonry*, (both unanimously) and *Dingwall*, composing the whole Synod of *Ross*, and, we are informed, speaking the general sense of that large country: The Presbyteries (unanimously) of *Lewes*, *Uist*, *Lochcarron*, and *Sky*, making (except five men) the whole large Synod of *Glenelg*: the presbyteries of *Dornoch* and *Caithness* unanimously, and that of *Inverness* by a great majority: these bodies of clergymen, learned, estimable in every point of view, and intimately interested in the state of education at *Aberdeen*, have already given a decided opinion against the Union; some of them particularly as of a very dangerous tendency with respect to supplying the Highlands with Ministers and other Instructors, and all of them, as inexpedient and inconsistent with rights and charters. — We are much indebted to these respectable bodies for the authentic and ample *confutation* which their Resolutions have given of the confident assertions of our adversaries, that their Plan was approved by the Public. Even in point of *numbers*, these declarations will bear a favourable comparison with those on the other side; they give the general sense of the nation northward and westward from *Inverness*. But the character and situation of those who make them, the interest which they have in education, and the deliberation and impartial attention with which they have made them, give them a great preponderance, and a much preferable title to be called *the judgment of the public*. It may be added that, in the very nature of the thing, declarations *against* the proposed Plan, are better founded and ought to be more regarded, than declarations *for* it. When the Public, as in the present case, are in possession of an establishment for education, precisely defined by the founder, and confessedly advantageous to them, any part of that Public have a plain interest in preserving it, a right to insist that they shall not be deprived of its experienced benefits, if there be but a doubt either of the expediency or of the right of a projected alteration. But before a shadow of title can be acquired, to demand that the present benefits of that establishment shall be taken away or impaired, the foundation of it annulled, the donations of it turned from their actual destination, it must be made perfectly clear, both that all this may be lawfully done, and that there is some necessity for doing it, or at least a very great expediency, demonstrated and universally acknowledged. Nay we cannot hesitate to repeat what we have already suggested, (Information p. 26.) that the Public (and much less an inconsiderable part of the Public) have no right, to prescribe to a Founder, in what manner and degree he shall by his donations contribute to their good, and no



shadow of right to alter his destinations afterwards, especially without the consent and in contradiction to the mind of his trustees, except an exact compliance with them had become positively detrimental to Society. It is their duty thankfully to accept his donations for the purposes which he has fixt; and if they desire establishments for other purposes, they ought to seek them, not by invasion of his bequests, or of the charters by which he has appropriated them, but at their own expence, or from the like munificence of some of their contemporaries.

A Royal Visitation is plainly the means in which they all along placed their principal hope of success: and this measure, as well as the methods taken for obtaining it, has been already fully discussed, by them in Outlines p. 4. Observations, Remarks, Defence p. 53, 55, 59, 60. Reply p. 36, and by us, Memorial p. 10, 11. Information p. 20, 21. Answer p. 63. To the measure itself, we objected that it was inadequate to the purpose of annulling charters and Acts of Parliament. They insinuate that it would be a *misapprehension* to suppose that they 'intended to carry the scheme of Union into execution, by the authority of visitors alone.' (Reply p. 36.) Yet the conclusion of their Petition to his Majesty, was 'That he would appoint a Visitation of both Universities, for the purpose of examining into the advantages to be expected from their being united, and for adjusting a Plan in conformity to which the Union may be, by his Majesty's favour, happily accomplished.' And if to this be added all that they have since written concerning the powers of visitors, that *apprehension* of their intention cannot appear surprising. They acknowledge indeed (Defence p. 53) that a visitation was a thing they were little acquainted with: but they seem now to have learned (Reply p. 36.) to doubt of its competency for that purpose; and thus admit, in some measure, the force of our objection. We likewise denied that the Marischal College have any right to solicit a visitation of the University and King's College, (not, as they wish to insinuate, only a *separate* visitation; (Remarks) but any visitation whatever, for any purpose, or on any pretence, except it were some outrage committed by it against the Marischal College, which common law could not redress: and we shall continue to deny it, till they can prove that the Marischal College may assume a right to solicit a visitation of the Universities of St Andrews or Glasgow, or even Oxford or Cambridge, provided that they only desire *themselves* to be included in it. Nay, for soliciting a Royal Visitation of at least one College even in *Oxford*, the University of Glasgow might more speciously claim a right, as being patrons of some exhibitions belonging to it; but such an idea, we are persuaded, that University never presumed to form. Objections so well founded might have prevented persons of candor from imputing the opposition of the Members of King's College against a visitation, solicited in such a manner and for such a purpose, to *apprehensions* on their own account. But the promoters of the Union have not only printed some insinuations of this kind, but have, some of them at least, privately accused the present Members of King's College of such neglects of duty and mal-administration, as give good reason for the apprehensions imputed to them. If it were so, the known laws of the land are sufficient for our correction, without the need of any extraordinary measure, and to them no recourse has been attempted. But we have learned the assiduity employed in thus whispering away our reputation, from so many, so respectable, and so unexceptionable informations, that in justice to ourselves we must be allowed to state how groundless the slander is, and how ill the promoters of the Union are entitled to impute personal apprehensions to us. — If the Principal of King's College teaches no class, as little does the Principal of Marischal College, though no less strictly obliged by the Foundation to much more laborious teaching; and the very same has long been the case in all the other Scotch Universities, except the Theological College at St Andrews. If the Professors of Law and Medicine in King's College now teach no classes, it is after many fruitless attempts have been made to procure them; and as little has ever the Professor of Medicine in Marischal College taught a class. None of the other Members of King's College who oppose an Union, can be charged with a shadow of negligence in their offices. In that College, no Member teaches by a *depute*, nor holds a plurality of places. — The Foundation of King's College gives the Members the fullest power "to set, sell, and feu the churches, tythes, lands and domains granted to it, for the common good of the College, by the consent of the Majority:" the present Members have used this power, have obtained a valuation of their tythes, sold the patronages of their churches, and their superiorities of lands, and feued some fields; and acknowledge that by every one of these transactions they have added something to the revenue of the College, and by them all together, with great trouble, expence, and risk to themselves, improved it above 350 l. yearly. That Foundation appropriates the revenue, after defraying incidental expences, in certain proportions, to the Masters, the founded Bursars, and the Buildings, and directs it to be divided among them annually: from their improved revenue, the Masters have set apart for the buildings annually, all that they could have drawn from vacancies of churches; and, from the other improvements, more than six times the sum ever before appropriated to them; have added one half to what the Bursars ever had; and have reserved for augmenting their own salaries, only the remainder, which is uncertain, variable, liable to diminution by every incidental loss and expence of management, and at a medium has actually fallen short of what would have rendered their augmentation equal to that of the Bursars, above L. 70 sterling a year; but for the interest of their successors they have



have provided in every way they could, particularly by enclosures, and by plantations on their lands, which will to them prove very valuable, but from which themselves can derive nothing, except the trouble of making them, and the annual loss of the interest of the money laid out upon them. The Members of King's College have the patronage of above forty Bursaries, and the management of the funds belonging to about sixty: the greatest part of these is vested in land property, the rest is lodged with the College on the security of its whole estates both for the principal sums and interest; and the whole has been so managed, that both the number of Bursars, and the annual payments to most of them, have been considerably increased, and all put in a train of being gradually augmented. We leave the Marischal College to give, if they can, as unexceptionable an account of their own management and strict adherence to the rules of their Foundation, in these several particulars. If they cannot, a charge of *apprehensions* against the Members of King's College, must be from any of them, as it is from those who ought to know the real state of things, perfectly ridiculous, and indeed it is in itself so groundless and absurd, that even if *one of themselves* were appointed *the Visitor*, and vested with all the powers which can be given to any Visitor, he could not find a handle so much as *specious* for over-awing a single Member of King's College into an acquiescence in his favourite project of an Union, or in the terms of Union which he were pleased to propose.

The legislature has power, no doubt, to render an Union of the Colleges effectual, and it alone has it. If therefore the Marischal College were really conscious, that the proposed plan of union is so highly advantageous, so unexceptionable, so consistent with right, as they pretend, their natural course would have been a direct application to the legislature. It would have recommended itself to the wisdom of Parliament, by its own merit; without standing in need of the extrinsic aid either of subscriptions from a part of the public, or a report from Visitors solicited by themselves. If they had, however, obtained both, we cannot imagine that it would have availed them much. The omnipotence of Parliament itself, is always limited by the wisdom and justice of Parliament. This gives British subjects all the security which they have for life or property: it has invariably determined that august body to pay a sacred regard to the rights and charters both of individuals and societies, and to reprobate the idea of altering them, especially without their consent. The invariable conduct of Parliament gives us full confidence that, if a Bill were presented for effectuating the proposed plan of Union, no approbation, no report in favour of its utility, would prevent their own most careful examination both of the evidence and magnitude of that utility, and of the perfect consistence of the plan with every right and privilege of the King's College; and full confidence that the result of this examination could not fail to be, a rejection of the Bill. In a very recent instance of a Bill affecting chartered rights, the famous East India Bill, it was declared on all sides, that nothing but *necessity* real, demonstrated, indispensable, could justify the infringements on the charters of the company; it was pled in favour of the bill, that the necessity was urgent, alarming, threatening destruction both to the company, and the nation, and uncontrollable by any expedients less inconsistent with the charter; it was allowed by the opposers, that there was a real and urgent necessity for some measure, but maintained that even that could not justify so flagrant injustice in violating charters without the consent of those concerned, at which, if once ventured on, every corporate body had reason to tremble for its own; and this reasoning finally prevailed. From such a Legislature, the King's College can have no apprehension that any violation of its Foundation and Charters will be forced upon it, in a case where *necessity* is not so much as pretended, where only a very problematical *expediency* is held forth, and where a *forfeiture* of real advantages now in possession would be certain.

It cannot even be alleged with truth, that all the promised benefits may not be equally well obtained, without encroaching on any of the rights of King's College, or making any alteration in its constitution. Of a plan adequate to this, we formerly gave an idea: (Memorial p. 13) The promoters of the Union take no farther notice of it, than to say (Reply p. 41) that it was 'surely not intended for serious consideration.' Perhaps it does not suit their views: but we are serious in saying, that it would answer all the *avowed* ends of their plan, and that it, or something very near it, is the only thing that we can think ourselves at liberty not to oppose to the utmost of our power. It is very simple. Let the King's College retain its name, continue in Old Aberdeen within the University, and consist as at present of a Principal, a Professor of Divinity, of Civil law, of Medicine, of Oriental languages, of Humanity, of Greek, and three Professors of Philosophy; all to be presented as they now are; who shall forever form one College, enjoy the same rights of election which now belong to the King's College, have the management of its revenue, and be all supported from it, and entitled to the future improvements of it, to be by them applied to the purposes, and according to the rules, contained in Bishop Elphinston's Foundation. As the Marischal College, founded near a hundred years after, as an additional seminary for education in Greek, Latin, and philosophy, is now judged to be unnecessary for *these* branches, let it be erected into a College containing Professors in all those useful sciences for which there are no establishments in the King's College; vested with the present revenue of the Marischal College; and entitled to the same share in the management of it as that College now has: and let either the senior Member, or the Professor



in the highest faculty, be declared *Head* of this new College, by whatever title shall be thought proper. Let the incumbents in all the offices now existing in the Marischal College, which shall be retained, enjoy the same funds from which their present salaries are paid, and continue to officiate in these offices; and let the incumbents in the other offices continue to execute them, and to possess all the emoluments of them, till their death or removal; and on vacancies happening, let the new Professorships take place, in such order as shall be judged most expedient; the patronages of them being assigned to the patrons of the suppressed offices in such manner as they can agree upon. Let the additional Professors be provided with salaries, either out of the aggregate fund arising from the suppressed offices, or by an appropriation of certain funds to each; as the patrons of the offices and the managers of the funds shall think proper: and let the surplus be applied to such additional buildings as shall be needful, and to the other objects in view.—The concurrence of the members of Marischal College and the Patrons of offices in it (who are represented as fully convinced of the great utility of such an extended course of education) will be alone sufficient for an application to Parliament for the erection of the Marischal College into this new form. But if it be judged conducive to its success, that it should belong to the University, the natural and easy way of accomplishing this, will be to transfer the new College to Old Aberdeen, within the limits of the University; and this would doubtless be the most regular and the most commodious plan. The King's and the New Colleges, would be (like the Theological and the Philosophical College at St. Andrews, and like all the Colleges in Oxford or Cambridge) two separate corporations, each having its own revenue and collegiate privileges; but forming one University, equally members of the University meetings, sharers in its privileges, in the election of the University Magistrates, and alike subject to their jurisdiction; by means of which, the whole course of education might be rendered as regular and harmonious, as if all the Professors belonged to one College; and that, perhaps, the more certainly by reason of their not being so closely united. If there be any reasons for fixing the New College in New Aberdeen, there may still be a possibility of its being united to the University, by obtaining a deed from the proper authority, by which the present site of the Marischal College shall be annexed to the University, and entitled to all the privileges and immunities granted to it. The distance of the two Colleges is not inconsistent with their forming one *University*, nor perhaps greater than that of some of the Colleges in the English Universities: and if their lying in different towns be somewhat awkward, it is far less exceptionable than the proposal of the *Outlines*, that Professors belonging to the same *College*, and attended by the same students, some of them three hours a-day, should be distributed into two different towns at the distance of a mile, which (we repeat) is perfectly unexampled, incompatible with the very idea of a College, and would necessarily be attended with the greatest inconvenience. The only material objection would be, that the Professor of Mathematics belongs to the New College, while the students who should compose his classes attend the Philosophical Classes in King's College thrice a-day,\* which would indeed render it impossible for them to attend him in New Aberdeen. But there are different expedients, by which this inconvenience might be in a great measure removed: it would be removed by annexing the Professor of Mathematics to the King's College, but to be supported solely from the funds now belonging to his office, leaving the management of these funds and the patronage of the office, as at present, with the Town of Aberdeen; or by his being declared a Member of the University, but attached to no College, (like the Professors in the English Universities, and some at St. Andrews) by which means he would have equal access to teach in either College, or in both. As none of the Professors in the other faculties of Divinity, Law, and Medicine, meet oftener than once a-day, there can be little inconvenience in the same students attending their lectures in both Colleges at once, as they already do attend the Professors of Divinity and Oriental Languages. The course of teaching in each *faculty*, may be arranged, under the inspection and controul of the whole University, by the Professors in both Colleges belonging to that faculty; and for the better arranging it, a Dean of each Faculty may be chosen annually, either by the Members of it, or by the University at large.

We are far from being so fully convinced of the expediency of any Union, by which a College of Arts would be suppressed for the sake of classes the success of which we reckon even improbable, as to be disposed to solicit or promote the Plan which we have just now described. But it is far more unexceptionable than any plan that can be formed consistently with the *Outlines* of our opponents. It deprives the public of no advantage which their *Outlines* leave them; and it gives them, and that more commodiously, all the same advantages. It allows the same number of Professors, the same revenue for their support, and the same surplus for other useful purposes. Even the town of New Aberdeen will have access for their children to all the branches of education in languages and the arts, at a distance nowise inconvenient; the very same to which they must have gone for some of them according to any sense that can consistently be put upon the *Outlines*; not greater than that of some parts of Edinburgh from the College: as it is the seaport and the market town, it can suffer very little by the removal of any part of the students to Old Aberdeen; and if the classes for Law and Medicine shall prove as numerous as is confidently predicted, it will gain

\* In this College, Mathematics are at present taught by the Professors of Philosophy.



gain a great deal. At the same time, to preserve in this manner the University and King's College, in Old Aberdeen, we have good reason to say, will be agreeable to the judgment and the wishes of almost the whole of the Northern Parts of Scotland and the Islands, for whom it is expressly destined.\* It would gain all the ends proposed, with the least possible violation of rights, charters ; and foundations. If then the promoters of the Union have no other views than what they avow, we cannot imagine a single objection which they can frame against this Plan. It would not indeed give the Members of Marischal College a prospect of succeeding to the salaries of King's College, nor a participation in its revenue and privileges ; but to this they can pretend no right ; their acquiring it could promote no one *public* advantage ; and they repeatedly affirm that they are actuated by no interested motives. It would, we acknowledge, overturn the Foundation of the Marischal College, and invert its revenue from the intentions of the donors : but they declare (Reply) that, " whatever may be said of the intention of their Founder, " they reckon themselves at perfect liberty to propose to the consideration of the legislature, a scheme " by which they think his main design will be better fulfilled." We are not trustees for his Foundation : but we are trustees for the Foundation of King's College ; and will exert ourselves in every possible way to defend it, and to transmit our privileges entire to our successors ; we are persuaded, from the justice of the cause, with full success : but, if we should fail, the possibility of which we have never been able to bring ourselves for a moment to suppose, we shall at least shew, when the expectations of public advantages, raised in some from the present Utopian scheme, shall vanish into smoke, that we bear not the blame of having tamely submitted to the delusion.

\* " They are decidedly of opinion, that the situation of King's College is every way more favourable to the studies " and morals of youth, than that of the Marischal College." *Presb. of Lochcarron*. " Were an Union to take place, " the Presbytery cannot hesitate to give it as their opinion, that the King's College hath a preferable claim to be made " the seat for the residence of the Masters and Students, and where all the classes should be fixed : it is the senior " College, the best endowed ; besides its having an elegant set of buildings, which at a small expence might be fitted " up so as to accommodate masters and students. The Students would have the advantage of being immediately under " the eye and inspection of the Masters ; and be removed at no more than a convenient distance from New Aberdeen, " and so freed from those avocations from their Studies, and temptations to dissipation, which daily present themselves " amidst the bustle and amusements of a large and populous city." *Tain*. " The Meeting particularly disapprove of " having classes in the same University at above a mile's distance from each other as proposed,—and the meeting are " rather inclined to think that, if one College was deemed sufficient,—it would be more for the national good, that " the same should be fixed at *Old Aberdeen*, as possessing better air, and better buildings than those of the Marischal " College ; and being at a greater distance from such amusements as frequently are apt to divert young men from at- " tention to Study." *Freeholders of Inverness-shire*.



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prospect of succeeding to the situation of King's College, nor a participation in its revenue and privileges;  
but to this they can pretend no right; their occupying it could promote no one public advantage; and  
they repeatedly state that they are satisfied by no material motives. It would be acknowledged, over-  
and above, that the foundation of the Marischal College, and hence its revenue, is the intention of the  
founders; but that they believe (Knap) that whatever may be the object of the foundation of this  
new foundation, it is not intended to be a rival to the Marischal College, but to be a supplement to its  
teaching, and that they think this their main design will be better fulfilled. We are not without our  
own; but we are anxious for the foundation of King's College; and will exert ourselves in every pos-  
sible way to defend it, and to transmit our privileges entire to our successors; we are persuaded, from  
the justice of the cause, with full hearts; but we should still the possibility of which we have never  
been able to bring ourselves to a point to report, we think it best to report, when the expectations of  
the advantage, rather in some time, the present. I am, Sir, your obedient servant, that we  
are not the least of having largely contributed to the cause.



"There are decidedly of opinion, that the function of King's College, as the University of Aberdeen, is to be a  
"and means of youth, than that of the Marischal College."  
"the University cannot refuse to give it the same treatment, and to give it the same treatment, it is the duty  
"the University for the purpose of the Marischal College, and to give it the same treatment, it is the duty  
"College, the best advantage; besides, the University of Aberdeen, and the Marischal College, are both  
"it is as to the Marischal College, and the University of Aberdeen, and the Marischal College, are both  
"the eye and inspection of the Marischal College, and the University of Aberdeen, and the Marischal College, are both  
"and to free them from their obligations, and to give them the same treatment, it is the duty  
"amidst the public and maintenance of a large and growing city."  
"having classes in the same University, as above a small distance from the University of Aberdeen, and the Marischal College, are both  
"rather inclined to think that, if one College was to be established, it should be the University of Aberdeen, and the Marischal College, are both  
"the same should be held at Old Aberdeen, as at King's College, and the Marischal College, are both  
"College, and we are a great deal of the same, and the Marischal College, are both  
"at Aberdeen, and the Marischal College, are both



